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IRELAND
UNDER THE
COMMONWEALTH

BEING A SELECTION OF DOCUMENTS RELATING TO
THE GOVERNMENT OF IRELAND
FROM 1651 TO 1659

EDITED, WITH HISTORICAL INTRODUCTION AND NOTES

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CONTENTS OF VOLUME II

	PAGE
SUMMARY OF CONTENTS OF DOCUMENTS IN VOLUME II .	vii
CALENDAR OF DOCUMENTS (<i>Continued</i>) . . .	283
INDEX	719

SUMMARY OF CONTENTS OF DOCUMENTS IN VOLUME II

1652. OCTOBER	<i>Pages</i> 283-294
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On the 11th of October 1652 Orders were issued for the publication of the Act of Settlement, and forbidding the Irish living in creaghts. Licence was given to Col. Mayo on the 12th to transport priests and prisoners to Spain and on the 14th Col. Trevor was instructed to remove 500 Irish to Carlingford for transportation. Letters of that date to the Committee for Irish Affairs, the Council of State and Parliament pressed for a speedy supply of oats. A High Court of Justice had been established for the trial of those guilty of murder. It was desired that the Commissioners appointed for stating the accounts of the army should be sent over. Some offscourings in Connaught had surrendered, but others who had submitted had again taken up arms. They had captured one or two small castles and put two files of men to the sword ; but it was expected that Coote would make short work of them. Altogether 7000 Irishmen had quitted the country and preparations for the transportation of others were in active progress. On the 16th Con McCormack O'Neill was licensed to transport 1000 men from Drogheda and a similar licence was given to the Earl of Westmeath on the 19th. Answering a petition from the inhabitants of County Kilkenny the Commissioners declared their intention in all their dealings with the Irish of discriminating between the perpetrators of the massacres and plunderings committed on the English and those who were innocent of such crimes. On the 21st the assessments in the twelve precincts were settled for the following six months, and a letter of the same date to the Committee for Irish Affairs announced that a regular postal service had been established between Waterford and Milford. On the 23rd certain pro-

1652. OCTOBER—*continued*

posals for an immediate satisfaction of the arrears of the army, passed two days before at a General Council of officers, were transmitted to Parliament, and letters addressed at the same time to Parliament, the Council of State and Col. Sidney in favour of Sir H. Waller (specially emphasising his claims to consideration), Col. Lawrence and Dr Carteret appointed to submit the proposals to the authorities in England. In their letter to Parliament the Commissioners explained that they had been induced to favour the proposals by the general appearance of the country to a peaceable settlement and their desire to diminish the expenses of government. On the 25th they wrote to Lord Broghill desiring him to see the Act of Settlement and Declaration published and steps taken to prosecute such Irish as were still in arms in County Cork. Replying to certain proposals from the Commissioners recently appointed for the settlement of Ulster the Commissioners on the 30th sent full and explicit instructions as to the payment of soldiers, the exportation of cattle and other commodities, the letting of lands, the prosecution of Popish priests and schoolmasters, the administration of the Engagement to the Scots, the allowance to be made to prisoners, the putting down of creaghts and other matters entrusted to their care.

NOVEMBER 294-299

November saw the Commissioners still at Kilkenny. A letter on the 2nd to Col. Sidney explained that they had taken orders to survey the lands recently granted Lord Broghill by Parliament out of Lord Muskerry's estate. Another the next day to the Commissioners of Revenue at Cork, in reference to a certain Rev. Mr Royle of whom they had received a bad report, cautioned them against appointing ministers who could not produce testimonials as to their fitness to preach the Gospel. An unfinished and undated letter to Sir A. Haselrig about this time is of importance as evidence of the

1652. NOVEMBER—*continued*

different construction placed in England and in Ireland on articles affecting the delinquency of Irish proprietors, of which more was to be heard in the future. An Order on the 5th requiring payments to be made by weight marks the end of their stay at Kilkenny. About the middle of the month the Commissioners were back in Dublin, their return being indicated by the appointment on 17 November of a Commission to inquire afresh into the massacres and robberies committed by the Irish on the English in the course of the Rebellion. A letter of the same date to Col. Sadler cautioned him against granting licences to Irishmen to reside in County Wexford unless their services were specially required as guides, boatmen and the like. Another to Fleetwood at Clonmel on the following day regretted that he was prevented joining them by fear of the plague at Dublin and informed him that they had been obliged to publish declarations to restrain the malt-ing of oats for beer and to enforce payments being made by weight. On the 26th Lord Broghill, Col. Phaire and Major Wallis were authorised to advance three weeks' pay in full settlement of their arrears to Muskerry's men as an inducement to transport without further delay. In a sharp letter to Sir C. Coote on the 29th the Commissioners required him to countermand the orders given by him for the removal of the Donegal creaghts into Connaught and to send Lord Mayo up to Dublin under escort to stand his trial.

DECEMBER 299-309

Permission was granted on 1 December to two Irishmen to patrol the country with arms for the destruction of wolves and a letter to Parliament on the 3rd gave a brief account of the proceedings of the Commissioners since their last report from Kilkenny. Their chief concern was to effect a reduction of the army, but nothing they saw could be done until the Act for Satisfying the Soldiers and Adventurers had been passed. To the Council of State on the day

1652. DECEMBER—*continued*

following they furnished a detailed account of the mischief caused by false and clipped money and insisted on the establishment of a mint as the only remedy. Another of the 9th to the same address, enclosing a copy of the articles concluded with the Earl of Clanricarde, recommended his case to their favourable consideration. A letter of thanks to Col. Sidney for the reception accorded the Officers' deputation of the same date was followed by one to the Governor of Kinsale acquainting him with the capture of Aran by a body of Irish from Innisboffin. A letter to Col. Sadler on the 11th approving of what he had done in accordance with the instructions sent him on 17 November was followed on the 14th by orders extending the time for taking the Engagement and authorising Col. Barrow to proclaim the Act of Settlement and Declaration in Ulster, and by others on the 15th excluding parts of Belturbet Precinct and such islands, loughs and bogs as afforded harbour to the rebels from protection. A case of coining in Ulster formed the subject of a letter on the 15th to the Commissioners at Belfast, and next day a Committee of ministers was appointed to advise as to the effectual preaching of the Gospel. On the 17th Col. Reynolds was instructed to put a commission establishing a court of justice for the trial of Lord Mayo in execution. A letter to the Council of State on the 20th gave details as to the capture of Aran and of the steps taken to recover it. Orders were issued on the same day for the destruction of wolves in County Dublin, and on the 23rd Cols. Reynolds and Barrow were given a free hand as to the terms to be granted to Lt.-Col. Brady and Ever Magennis. A circular letter of the same date informed the commanders in the precincts that the 30th had been appointed as a day of fasting and humiliation. A letter to Coote and Stubbers on the 24th, notifying that Lord Mayo insisted on being tried in Connaught, required them to make arrangements accordingly. Another of the same date to Lord Broghill approved of the steps taken by him

1652. DECEMBER—*continued*

and Col. Phaire to transport Muskerry's men and on Christmas Day Col. Phaire was required to see that the sentences pronounced by the High Court of Justice at Cork were executed without delay. To an offer on the part of Col. Ingoldsby to transport Irish the Commissioners replied on the 28th granting him the same terms as Col. Nelson had received and on the 29th they wrote at length to Parliament emphasising the necessity there was for the establishment of a mint.

1653. JANUARY 309-316

1653 opened with the appointment of a Committee for the encouragement of tillage. A week later an individual convicted of bigamy was ordered to be banished and on the 15th a Declaration for the banishment of priests and Jesuits was sent down to the Commissioners at Wexford to guide them in dealing with those in prison there. On the same day the Commissioners informed the Council of State that the expedition for the recovery of Aran had sailed from Galway and that since April last 13,000 Irish had been transported abroad. Sixteen persons had been condemned to death at Kilkenny, six at Clonmel and thirty-two at Cork for their share in the massacres and a High Court of Justice had been established at Galway for the trial of Lord Mayo. From a letter of the same date to Sir H. Waller it appears that the Irish were still hopeful of assistance from the Duke of Lorraine. Details were added in a letter to Parliament on the same day and in another on the 18th the Commissioners pleaded for a favourable consideration of the case of the Countess of Ormond. A further extension of time for taking the Engagement was granted on the 21st and on the 25th Standish was required to see that the money due to Lt.-General Farrell by his articles was promptly paid him. A letter of the same date to the Commissioners of Precincts called for a report as to what had been done to suppress the creaghts as ordered. A licence to Andrew White on the

1653. JANUARY—*continued*

- 27th to transport 2000 Irish to Spain and permission for certain priests to leave the country closed the business of the month.

FEBRUARY 316-321

On 3 February the Commissioners of Precincts were authorised to grant leases for five years of waste lands to soldiers attached to garrisons. News that Sir Phelim O'Neill had been at last captured was sent to the Council of State on the 4th. A letter of the same date to the Committee of Irish Affairs reverted to the subject of the establishment of a mint and in another to the Council of State the Commissioners complained that, owing to the neglect of the Spanish Government to perform its part of the contract, the merchants engaged in transporting the Irish were suffering much loss. On the 10th the Commissioners at Trim and Col. Foulke were informed that a Court of Justice was to be established at Dundalk for the trial of persons guilty of the massacres, and next day Reynolds was authorised to offer head-money for the capture of any rebel in arms. A letter to the Parliament on the 17th intimated that their orders for a grant of lands to Sir C. Coote had been obeyed. News reaching the Commissioners that Lord Muskerry and Col. O'Callaghan had returned to Ireland Col. Phaire was on the 19th required to send them both up to Dublin under escort ; and the same day orders were issued enforcing the declaration for the expulsion of Jesuits and seminary priests. A letter to Reynolds on the 25th, acknowledging the articles for the surrender of Innisboffin, advised him that, in consequence of the treatment to which English merchants had been subjected in Spain, it was considered advisable that the Irish who were to go abroad should be sent to Flanders instead.

MARCH 321-329

March opened with an Order on the 1st excluding certain parts of Meath and Louth from protection

1653. MARCH—*continued*

and on the 3rd the submittees on Kilkenny Articles were allowed to enjoy so much of their estates as lay waste and unimproved. In their report on the general state of affairs to the Speaker and the Council of State on the 4th and 5th respectively the Commissioners after stating that Sir Phelim O'Neill on his trial before the High Court of Justice had denied having the King's authority for what he had done during the Rebellion, announced that the surrender of Innisboffin had frustrated a design for making that island a rendezvous for receiving help from France. Col. Barrow had captured Trinity Island in County Cavan, but in Cork and Kerry the enemy were very much in evidence and a party of them had got possession of Whiddy island. Transportation was hampered by the refusal of the Spanish authorities to fulfil their contracts with the merchants. They were unwilling to press for money but the soldiers were in great straits owing to the arrears of pay due to them. As for a mint they would not have suggested it had they known that it would prove such an expensive business. Permission was granted on the 5th to Sir Phelim O'Neill to receive visitors but only one at a time and on the 11th the Commissioners explained to the Rev. John Cull that their reason for suspending him was a charge of atheism preferred against him. In a letter to Col. Venables on the 14th they announced that, in consequence of information they had received from the Council of State of a suspicious correspondence between the Scots and their friends in Ulster, it was considered advisable to place an embargo on all vessels coming from Scotland. A plan for removing suspicious persons from Ulster was under consideration. Meanwhile Venables was to keep his eyes open. On the 15th orders were given to sequester all houses and lands within the town and liberties of Galway whose owners had forsaken them with the object of avoiding contribution; and to grant a further extension of time for taking the Engagement. These were followed by one on the 16th to encourage the establishment of iron-works

1653. MARCH—*continued*

at Mountrath by Sir C. Coote. The same day, acknowledging the letter they had received from the Council of State and giving the gist of their letter to Venables, the Commissioners added that they had just received news of the capture of Dursey Island by the Irish but had taken instant steps to recover it. To the Committee for Irish Affairs they submitted a new project for the establishment of a mint. The conduct of the Spanish Government they wrote to the Council of State had brought transportation to a standstill.

APRIL 329-339

In consequence of a report that the inhabitants of County Wexford were perishing of hunger instructions were given on 4 April to the Commissioners of Revenue there to draw them within the line and to provide them with corn to alleviate their want. A letter from the Commissioners for Settling Ulster from Carrickfergus on the 9th, setting forth at length the steps taken to prevent correspondence with Scotland, announced their unanimous opinion that there was no visible expedient for preserving those parts in safety but by transplanting all popular Scots into some other part of Ireland. On the 11th an Order passed on 19 February suspending the letting of lands to Kilkenny Submittees till 10 April was prolonged till 10 May, and one on the 12th for the use of uniform weights and measures was followed by another on the 13th for the protection of all Irish who had submitted before 12 May 1652 for acts committed by them in the ordinary course of war, provided they had taken the Engagement. In a letter to Cromwell on the same day the Commissioners regretted that they were debarred by the Act of Settlement from stating the arrears of Col. Gifford and other officers instrumental in the surrender of the Munster garrisons. Replying to the letter of the Commissioners for Settling Ulster the Commissioners approved of transplanting the Scots if it could be done quietly and suggested Kilkenny,

1653. APRIL—*continued*

Tipperary and Waterford as the most suitable counties for their reception. On the 14th Col. Sankey was authorised to clear Clonmel of undesirable Irish, and on the 15th a Committee was appointed to consider whether, in view of the definition adopted of what constituted murder, any persons had been unjustly condemned to death. The same day licence was granted Sir C. Coote and others to press shipping for the transportation of those Irish who had submitted in Connaught, and instructions were given Justice Donnellan for holding a general gaol delivery in Ulster. In a letter to Parliament the Commissioners referring to the necessity for a reduction of the army urged the speedy passing of the Bill for giving satisfaction to the soldiers and Adventurers. On the 20th orders were given to Justice Cook to hold a general gaol delivery in Connaught and on the 22nd a Committee was appointed to consider the state of the poor and how they might be set to work. Certain pirates were ordered to be released on taking the Engagement on the 25th and on the 27th woodreeves were appointed to look after the woods in Wexford Precinct. Commenting on certain proposals submitted to them by the Commissioners for Settling Ulster on the 24th, the Commissioners on the 30th explained that, in consequence of the news they had received of the dissolution of the Long Parliament, they were obliged to leave the further management of the business to their discretion.

MAY 339-343

On 3 May liberty was given to English Protestants to cultivate their waste lands on the same terms as had been granted the soldiers; and a letter to the Commissioners for Settling Ulster on the 9th desired them to lose no time in finishing the work committed to them. In order to meet the increased pauperism arising out of the war and the habitual laziness of the Irish, steps were taken on the 12th to provide State relief for such as were

1653. MAY—*continued*

unable to work and to force such as could to betake themselves to some honest calling. These were supplemented by an Order on the 16th to the Commissioners for the relief of the poor requiring them to hand over incorrigible vagrants both men and women to Joseph Lawrence to be transported to the Caribbee islands. A letter on the 16th to Lord Broghill invited him, as most of the Irish in his district had been transported, to assist in the transportation of those in Connaught. Another to Mathias Rowe on the 18th desired him to cause Geoffrey Browne, who was said to be in London, to be apprehended and sent over to stand his trial before the High Court of Justice at Dublin. On the 20th Col. Venables was instructed, in the interests of trade, to remove the embargo on vessels coming from Scotland to Ulster, but to cause a strict search to be made for suspicious persons on board them. On the 23rd it was ordered that all laws in England for the punishment of sturdy beggars etc. should be of force in Ireland and on the 26th permission was given to a Catholic priest to make levies for the service of the King of Spain. An Order of the same date to the Commissioners at Athlone and Galway to see that the terms granted the Irish, who laid down arms at Dunmore, were made good to them concluded the business of the month.

JUNE 343-354

A petition from the few inhabitants left in the barony of Bunratty in County Clare, complaining of the heavy assessments of cattle and corn placed on them, was ordered to be examined on 3 June and in case their complaint was found well grounded to be remedied. On the 7th an influential Committee was appointed to consider the question of poor-law relief in Dublin, and on the 8th a general Order was issued to the Commissioners of precincts to press ships for the transportation of 8000 Irish. A petition for relief from assessment from the inhabitants of Kerry was dismissed on the 9th on the ground that

1653. JUNE—*continued*

all precincts were making the same complaint of poverty. On the 10th liberty was granted to such Catholic priests, not guilty of murder, to leave the country without being molested, on giving security for their *bona fide* intention to do so. A letter to the Council of State on the 11th intimated that, in consequence of the damage done by pirates in Ulster, they had written to Charles Whalley at Chester desiring him to see that some ships of war were sent to clear the coasts of those pests to commerce. A long letter from the Commissioners for Settling Ulster to the Commissioners on the 14th discussing the terms they thought it desirable to offer the Scots in order to induce them to transplant concluded with an account of the damage recently done by pirates on the coasts of Ulster. On the 27th it was referred to a Council of Officers to consider how and where the soldiers about to be disbanded were to be satisfied their arrears. An Order of the 29th authorised the Commissioners of Revenue to offer rewards for the destruction of wolves, and the same day a Declaration was published regulating the sale of beer according to Acts of Parliament passed in England. Another long letter from the Commissioners for Settling Ulster on the 30th discussed the places where the Scots were to be removed to, the time when the transplantation was to be made, the persons to be transplanted and the conditions to be offered them.

JULY 354-369

July opened with an Order to the overseers of precincts to treat with merchants for the transportation of persons without visible means of subsistence to America. Additional Instructions to the Commissioners from the Council of State on the 2nd laid down the ground-plan for a general transplantation of the Irish in the three provinces of Leinster, Ulster and Munster, who by the Act of Settlement were to have any mercy shown them, into Connaught and Clare. A special clause in the Instructions

(b)

1653. JULY—*continued*

authorised the Commissioners to set out lands to John Blackwell, jun., in satisfaction of £2350 advanced by him in several sums by way of Adventure. A report that the inhabitants of County Limerick were unable to bear the defects of other places in the precinct led to an Order on the 6th placing the assessment of County Clare on such part of the tithes of the precinct as were not devoted to the maintenance of hospitals. On the report of a Committee appointed to consider the matter, the places whither, the time when, the persons who and the conditions under which the Ulster Scots were to remove were finally settled on 13 July. A Declaration requiring all Irish, who on 23 October 1641 had any right or title to any lands, to deliver in a statement in writing of their claims to the Commissioners of Revenue was ordered to be published on the 15th. On the 18th it was ordered that certain grievances as to assessments complained of by the inhabitants of County Tipperary should be inquired into, and on the 21st an Order was passed for rewarding persons who had been active in prosecuting Tories in County Cork out of the estates of the latter. On the 22nd the Commissioners of Revenue were required to inquire how far a Declaration published by Ireton forbidding officers and soldiers marrying Irish women had been obeyed. In a letter of the same date to Parliament the Commissioners, after announcing that 20,000 Irish had been transported abroad and 7000 more were on the point of departing, stated that steps had been taken to effect a partial disbandment of the army and to assign lands for the satisfaction of the soldiers' arrears according to certain proposals (a copy of which they enclosed) made at a general Council of officers on 9 June. From Instructions they had since received, authorising a disbandment, it appeared that there was some difference in the course pursued by them and that proposed in the Instructions, especially as regarded the arrears due for service before 1649. The course adopted they thought most to the advantage of the

1653. JULY—*continued*

Commonwealth. Licence was granted Lord Broghill on the 27th to transport Irish and to take steps to capture such as still held out. An Order of the 28th forbidding soldiers to sell their Debentures was followed by one on the 30th allowing the Commissioners of Accounts to give Debentures on letters of attorney.

AUGUST 369-371

August 1st saw the appointment of a standing Committee to work out the details of the plan for transplanting the Irish into Connaught. For the ease of Irish proprietors having estates in more than one precinct it was ordered on the 3rd that they should be allowed to present a general statement of their claims to the Commissioners of Revenue at Dublin. Orders indemnifying soldiers for simple acts of warfare, and authorising Cols. Venables and Barrow to receive Irish not guilty of murder into protection and to reopen trade between Ulster and Scotland were passed on the 5th. On the 24th Lord Enniskillen was licensed to transport 1200 Irish to Spain. A Committee to inquire after surveys of Connaught made in or since Elizabeth's time was appointed on the last day of the month, and in a letter of the same date to the Revs. John Owen, Nicholas Lockyer and Jenkin Lloyd the Commissioners deploring the want of capable ministers to preach the Gospel invited their assistance in supplying the deficiency.

SEPTEMBER 371-372

Owing to the decreasing population of Galway a remission of taxation was granted to the inhabitants on 7 September. Permission to employ Irishmen in his iron-works accorded to Sir C. Coote on the 14th and on the 19th order was given to melt down the sword of State, the mace and privy seal formerly used by the Lord Deputy and Council. On the 21st an extension of time was granted to Irish proprietors for inning their crops lying outside the line

1653. SEPTEMBER—*continued*

of protection, and on the 28th the Earl of Westmeath was licensed to transport a regiment of foot to Spain.

OCTOBER 372-376

On 7 October the Commissioners wrote to the Committee for Irish Affairs announcing that they had caused the Instructions recently sent them to be published and had appointed commissions to inquire into the proprietorship of lands in each barony. In conclusion they desired to be informed what construction they were to put on the Articles of Galway. A report of an intended invasion by Prince Rupert led to orders being sent on the 12th to Capt. Robert Story to ply between the Old Head of Kinsale and the mouth of the Shannon to prevent any attempt at a landing. On the 19th licences were given to Col. Loe to transport 2100 Irish into Spain and to Col. Edmund O'Dwyer to transport 3500 into Flanders. On the 20th the assessments for twelve precincts were settled for the half-year ending on 1 May 1654, and on the 21st the Commissioners wrote to the Commissioners for Articles in England pressing for an answer as to what they were to do in regard to the Articles of Galway. On the 25th Lord Broghill was authorised to apprehend 250 Irishwomen between the ages of twelve and forty-five and 300 men between the ages of twelve and fifty having no visible means of subsistence in County Cork and to hand them over to the agents of Messrs Sellick and Leader for transportation to New England. In a letter to Capt. Webb on the 21st the Commissioners desired him to consider the question of repairing certain forts in Connaught mentioned in an enclosed list.

NOVEMBER 376-380

By an Order of 4 November witnesses in murder cases were exempted from transplantation to Connaught and on the same day Col. O'Dwyer, having been authorised to raise 3500 Irish for the service of

1653. NOVEMBER—*continued*

the Prince of Condé, was licensed to transport such priests and Jesuits as were still in Ireland. In view of the great work of transplanting the Irish and giving satisfaction to the soldiers and Adventurers the Commissioners on the 9th intimated to the Commanders-in-Chief in the several precincts that they had appointed the 15th as a day for the solemn seeking of the Lord in those things. On the 16th Commissioners were appointed and instructions given them to examine the delinquency of Irish and other proprietors in the precinct of Waterford, in order to the distinguishing of their Qualifications according to the Act for Settling Ireland. About the same time (No. 438) Commissioners were appointed for the same purpose in the other precincts, and on the 26th a gross survey was ordered to be taken of the lands in the baronies of Kinalea and Kerrykurrihy in County Cork.

DECEMBER 380-384

Writing to the Commissioners of Revenue in the respective precincts on 6 December the Commissioners intimated that they had sent down commissions to them for examining the delinquency of the proprietors in their precincts. In a letter to the Council of State on the 16th the Commissioners explained that, in consequence of certain doubts that had arisen as to whether the forfeited lands in Ireland would suffice to meet the debts on them, they had caused a rough estimate of both to be made. From the inquiry it appeared that, according to the rates in the Adventurers' Act, there would be a deficiency of lands to the amount of £947,500. To meet this difficulty a general Council of officers had agreed to a provisional alteration of the rates in the Act, but had at the same time resolved that the arrears due for service before 1649 should be satisfied on the same scale as those since that date. Commissions had been issued to survey and set out the lands appointed for the disbanded soldiers accordingly. Enclosing a draught of an Act to be

1653. DECEMBER—*continued*

submitted to Parliament for securing the soldiers and Adventurers in the lands granted them, the Commissioners pointed out to the Committee for Irish Affairs on the 17th the pressing need there was of a great seal. The result of the gross survey of lands in the counties appointed for the satisfaction of the Adventurers and soldiers is dated the 19th. On the 28th Messrs Sellick and Leader were licensed to transport a fresh batch of rogues and vagabonds and on the 29th permission was given the inhabitants of Down and Antrim to export grain and other commodities.

1654. JANUARY 384-401

The year 1654 opened with a circular letter to the Commissioners of Precincts on 2 January, appointing the 12th to be kept as a day of humiliation and solemn supplication on account of the sudden dissolution of the Little Parliament. On the 6th Commissioners were appointed and instructions given them for setting out lands in Connaught provisionally to Irish transplinters. Authority was given on the 9th to the Commissioners of Revenue in the respective precincts to grant certificates to Irish proprietors and tenants transplanting to Connaught as to the lands and stocks in their possession. On the 10th a number of Commissions were issued (Nos. 448-454), with instructions as to the drawing of lots etc., for assigning lands to the soldiers recently disbanded, in the counties of Cork, Louth, Kilkenny, Sligo, Longford, Cavan and Fermanagh. On the 20th authority was given to the Governors of Carlow, Kilkenny, Clonmel, Ross and Waterford to arrest vagrants (men and women) and to hand them over to certain English merchants for transportation to the West Indies. A Declaration was published on the 23rd requiring all Irish and Papists in the different precincts to deliver up what arms and ammunition they possessed within six days. A letter to Sir C. Coote on the 30th desired him to assist the Commissioners at Galway in inquiring

1654. JANUARY—*continued*

into the delinquency of Irish proprietors in Connaught. Another from Cromwell to the Commissioners of the same date recommended the granting of a petition of certain Bristol merchants for 400 Irish Tories or vagrants for planting the Caribbees.

FEBRUARY 401-406

On 1 February order was given the Commissioners for examining delinquency in the precinct of Waterford to inquire into the conduct of Sir Thomas Sherlock during the Rebellion : meanwhile he was to be dispensed with from transplantation and to receive a portion of his estate for his subsistence. In order to expedite the inquiry into delinquency the Commissioners in the several precincts were on the 8th authorised, when they found that any person was guilty of murder or comprehended in the first Qualification of the Act of Settlement, to abstain from the further examination of witnesses. On the 16th the Commissioners in a letter to the Protector reverted once more to the necessity there was of establishing a mint. Hearing of the seizure of several books of the proceedings of the Supreme Council of the Confederate Catholics by Col. Richards he was on the 20th required to hand them over to Col. Sankey. On the 21st a letter was addressed to the Commissioners from the Council of State acknowledging their proclamation of Cromwell as Protector. On the same day a statement was published of the result of the lottery at Grocers' Hall for the division by baronies of the ten forfeited counties between the soldiers and Adventurers.

MARCH 406-414

A letter to the Commissioners of Loughrea on 1 March explained that the abstract of surveys sent them was intended merely as a rough guide. Another of the same date to the Protector pointed out that in the Ordinance lately passed defining what offences constituted high treason no provision had been made for murder, which by the laws of Ireland was ad-

1654. MARCH—*continued*

judged to fall under that head. Answering certain queries addressed to them by the Commissioners at Loughrea, the Commissioners in two letters on the 6th dealt at length with the construction to be placed on the abstract of surveys, the allowance to be made to persons employed by them, the amount of land to be allotted to transplinters who were not proprietors, the places where they might be settled, the treatment of such as had failed to present their certificates by the time limited in the Declaration etc. Acting on a report of the Committee for Transplantation order was given on the same day to clear Kilkenny of all Irish Papists except artisans and labourers or such, not exceeding forty, as were judged necessary to be continued there. Answering certain queries of the Commissioners for setting out lands to the disbanded soldiers the Commissioners on the 8th decided that all glebe lands were to be set out to them, that in cases of leases for five or seven years their tenants were to pay their rents to the new proprietors, and that Protestant Delinquents were to surrender their lands and receive satisfaction elsewhere. On the 9th it was referred to Sir C. Coote, Cols. Stubbers and Brayfield and Major Symner to consider what castles in Connaught were fit to be destroyed and on the following day Sir C. Coote was authorised to demolish such as were judged to be superfluous. A declaration of the Lord Protector and Council on the 20th decided that the Ordinance defining high treason did not alter the law regarding murder in Ireland. On the 21st orders were sent to the Commissioners in the precincts of Cork and Limerick to take steps for the immediate transportation of the Irish in Spike Island and such as had been raised on the account of Col. Edmund O'Dwyer. A letter of the Lord Protector on the 23rd desired the Commissioners to give Col. Daniel Treswell permission to raise and transport to Flanders 3000 Irish. In consequence of numerous applications for dispensation from transplantation authority was given the Commissioners of Revenue on the 27th to grant such till 1 June to persons who,

1654. MARCH—*continued*

owing to sickness or other causes, were unable to remove, or who had not taken an active part in the Rebellion, or had renounced popery. The persons so dispensed with were meanwhile to enjoy such lands as they possessed for their maintenance as tenants to the State and not in their own right. A letter from Cromwell to the Commissioners on the 29th in favour of the Earl of Westmeath desired them to see that the articles made with him were scrupulously observed.

APRIL 415-422

April opened with a letter to the Commissioners of Revenue at Belfast and Londonderry permitting them to show favour to such of the Scots ministers in Ulster as were of peaceable disposition. On the 3rd Col. Nelson and others appointed to inquire into a charge preferred against Major Ously were sharply reprimanded for exceeding the letter of their instructions. A petition of the old inhabitants of Limerick not to be transplanted to Connaught on account of the hostility of the Irish towards them was referred on the 4th to the consideration of the Commissioners at Loughrea to find a suitable place for them. On the 5th an Ordinance of the Protector and Council regarding a petition of Lord Clinton, John Milward and John Agard claiming to be reinstated in lands purchased by them, in virtue of the Articles of Dublin, was referred to the President of the High Court of Justice. A letter of Cromwell's on the 10th required the Commissioners to set out lands in King's County to one Francis Blomer, employed by Gregory Clement to establish an English plantation in that county. On the 12th the Commissioners appointed to set out lands to the disbanded soldiers were instructed that according to the terms of the Act for Satisfaction Church lands were not to be considered forfeited lands, but that lands formerly belonging to persons transplantable into Connaught were to be regarded as such although no proof had been made that the owners had taken any part in the Rebellion. On the 14th Benjamin Worsley was authorised to appoint

1654. APRIL—continued

fit and able persons to survey the lands in the ten counties assigned for the satisfaction of the Adventurers and soldiers, beginning with those allotted to the latter. In a letter to the Lord Protector on the 18th in reference to the case of Lord Clinton and Messrs Milward and Agard the Commissioners explained that unless specially authorised by him they could not comply with his order as the lands claimed by them were really the property of Lord Fitzwilliam, a notorious rebel. Further they dissented most decidedly from the interpretation placed by the Committee for Articles at Westminster on the Articles of Kilkenny in the case of Sir Richard Barnewall. If his claim for dispensation were allowed it would upset the whole scheme of transplantation. To avoid such judgments in the future they suggested the appointment of an Irish Committee to decide articles of war. On the 19th order was given that all vagrants in the precincts of Cork and Limerick should be handed over to Capt. John Norris for transportation to the Caribbee Islands. A letter of the Council of State on the 26th ordered that State lands in the four counties of Dublin, Cork, Carlow and Kildare should only be let from year to year; and on the 27th Col. Foulke was authorised to dispense with the transplantation of the wives, children and servants of persons in the neighbourhood of Drogheda, who had removed to Connaught, till 1 July.

MAY 423-430

In Instructions given to Messrs Rowe and Kingdon on 4 May they were required to inform the Protector that the forfeited lands having been found insufficient to answer the debt on them, the rates at which they were to be set had been raised and that at these rates 4711 persons had been discharged the State's pay and £282,209 of the Commonwealth's debts liquidated. By an Order of the 5th the baronies of Athlone and Ballintober in County Roscommon and the baronies of Tulla and Bunratty in County Clare were set aside

1654. MAY—*continued*

for widows of English extraction transplantable to Connaught. On the 6th permission was given to those Irish who had surrendered on articles with Muskerry to reside with their friends while steps were being taken for their transportation, provided they took out special licences and did not stay longer than 10 July. In a letter to Fleetwood on the 9th Cromwell desired to have his opinion as to how the elections in Ireland to the approaching Parliament were to be made and whether it would not perhaps be better to call certain persons by writ to represent the country. On the 12th Commissioners were appointed to carry into effect certain suggestions made by a Committee of Officers for obliging such Irish in County Cork as were not to be transplanted to live together in villages and for removing all Irish out of West Carbery. The same day the Commanders-in-Chief in the respective precincts were ordered to cause search to be made for such Irish as were to transplant to Connaught. On the 15th the Commissioners of Revenue in the different precincts were authorised to farm the land-excite to responsible persons and the same day they were instructed to give yearly leases of all lands in the disposal of the Commonwealth. Writing to the Council on the 17th in favour of the Knight of Kerry the Commissioners desired that, notwithstanding his being a native and a Catholic, he might as a sign of merit be treated on an equality with English Protestants; and on the following day they forwarded a petition of certain English proprietors in Connaught praying (apparently) for permission to exchange their estates in that province for others elsewhere. Answering the Protector's letter of the 9th on the 19th the Commissioners expressed their inability to advise as to how the elections to Parliament were to be made. The same day the Commissioners of Precincts were required to report what they had done in the matter of granting dispensations according to the Declaration of 27 March; and at the same time Committees for transplantation were appointed in the different precincts to consider transplanters' petitions and to

1654. MAY—*continued*

grant dispensations at their discretion till not later than 1 May 1655. The same day likewise authority was given to Sir C. Coote and the Commissioners at Loughrea to grant passes to transplanter to pass and repass into Connaught. Reports of the ill-treatment of the servants of transplanter left behind to look after their stocks reaching them the Commissioners on the 26th issued orders to the Commissioners of Revenue to prevent the same. A letter of the Lord Protector on the 27th required the Commissioners to assist a certain George Clarke in his efforts to plant his lands.

JUNE 430-433

By an Order of 13 June persons transplanting into Connaught were freed from all tolls for their persons, goods and cattle. The Commissioners, finding it impossible to arrange for the transportation of the men raised on O'Dwyer's account to serve on the Continent, instructed Col. Phaire on the 15th to take steps for their transportation to Barbados and to raise the number of them to 400 by adding any vagrants he could catch. Information reaching the Commissioners that the Commissioners of Revenue were making leases to one another an Order was issued on the 16th rendering such leases null and void. Writing to the Council on the 21st the Commissioners stated that in consequence of the transplantation the revenue had diminished so much that, unless liberal supplies were sent from England, the soldiers would be reduced to great misery. On the 21st Col. Stubbers was authorised to clear Galway of all persons he thought likely to endanger the safety of the town, giving them leave to dispose of their houses on yearly leases; to grant seven years' leases of all houses falling into decay; to seize the boats of all Irish not licensed to live on the sea coast; and to prohibit Irish Papists trading as merchants beyond the seas. Further on the 26th he was authorised to arrest sixty Irishwomen (vagrants and the like) for

1654. JUNE—*continued*

transportation to the West Indies. A letter from the Protector and Council on the 29th, enclosing writs of election, desired the Commissioners to see that they were properly executed.

JULY 433-437

Acknowledging a letter of Col. Phaire's with information that there were 700 Irish waiting to be transported in Great Island and Spike Island, the Commissioners on 1 July gave reasons for desiring to see them sent to Barbados rather than to Spain or Flanders. O'Dwyer's 350 men were, as ordered, to be raised to 400 and handed over to the merchants licensed to transport them. These Instructions were followed up by an Order on the 5th requiring the Commissioners in the precincts of Clonmel, Waterford, Wexford, Kilkenny and Carlow to deliver all persons in gaol, except murderers to John Mylam for transportation. The same day Col. Pretty, the Rev. John Murcott and others were ordered to inquire into the alleged conversions of Irish at Athy, as a ground for dispensation from transplantation. On the 10th the Order allowing Coote and the Commissioners at Loughrea to grant licences to Irish to pass and repass into Connaught was rescinded. In reference to certain requests of the disbanded forces in Ulster it was agreed on the 17th that they should enjoy all encouragement to which they were entitled and that their claim to further satisfaction should be safeguarded, but it was impossible to receive them back on half-pay and their request to have the barony of Tullyhaw and other lands in Cavan and Fermanagh excluded from allotment could not be allowed. In Instructions given to Col. John Jones on the 18th he was required to explain the depression of the Revenue to the Protector, to desire his decision regarding the Articles of Galway, to urge the establishment of a mint, and to ask that the time for entering claims to lands might be limited. On the 24th it was ordered that all priests in Dublin should be transported to Spain and on the 27th Lord Muskerry was

1654. JULY—*continued*

authorised to contract for the transportation of men to the Continent. On the 28th the Commissioners regretted their inability to do anything for the satisfaction of Liverpool till the claims of the Adventurers and soldiers were first settled ; and on the 31st sentence of death passed by a court-martial on Peter Bath for not transplanting was commuted into one for transportation.

AUGUST 437-444

On 9 August Order was given for the punishment of persons making false claims to the possession of lands. In Instructions given to Fleetwood, as Lord Deputy, and the Council on the 17th they were required to have a special regard to the Revenue, to take effectual care for the preservation of woods and to see that the Act for Settling Ireland and the Act for Satisfaction were enforced, but in the case of the latter permission was given them to dispense with transplantation when they thought fit, as also with the penalties and forfeitures attaching to a refusal to transplant. On the 18th the Commissioners returned the writs and indentures between the sheriffs and electors of such persons as had been chosen to represent Ireland in Parliament. A council, to be assisting to the Lord Deputy, was appointed on the 22nd and by an Order of the next day Fleetwood was authorised to carry on the government with the advice of any three of them until the rest arrived. On the 26th Col. Phaire was ordered to hand over 400 Irish, consisting partly of men raised by Lord Barrymore for service abroad, partly of vagrants, to Robert Molesworth for transportation to Bardados.

SEPTEMBER 444-451

An Ordinance of the Lord Protector on 2 September gave permission to Protestant Delinquents in Ireland to compound for their estates, and another of the same date sanctioned the subdivision and allotment of lands according to their intrinsic values and

1654. SEPTEMBER—*continued*

ordered the enrolment of them in the Court of Chancery. By an Order of the Council also on the 2nd the Commissioners were required to set out lands to the value of £2621 to the Committee for clearing Adventurers' claims. A letter of the Commissioners to Lord Broghill and others on the 8th desired that consideration might be shown to Lord Lambert although owing to his delinquency the Commissioners for accounts had found it impossible to state his arrears. News of the change of government reaching the Commissioners on the 13th it was that day ordered that all commissions then in force should be continued *pro tem*. On the 14th a day was appointed for publicly imploring God's blessing on the new Government, and in order that public affairs might not be impeded it was resolved that the hearing of private petitions should be postponed till the 26th. On the 19th the Council pointed out to the Protector the necessity there was of establishing courts for the ordinary administration of justice and stated that in order to balance revenue and expenditure £32,000 a month at least would be required from England. The same day letters were addressed to the Rev. John Davenport in America inviting him to take up his residence in Ireland, and to the Lord Protector regretting their inability to satisfy the arrears of certain persons at lower rates than those fixed by the Council of officers.

OCTOBER 451-455

On 5 October the Commissioners of Survey were authorised to fine such persons as refused to give evidence when required, and on the 7th a Committee was appointed to be assisting to the Court of Claims at Westminster in deciding articles of war. On the 10th it was referred to Coote, Waller, Reynolds and others to consider how the work of surveying forfeited lands might be expedited, and on the 25th Justice Cook and Attorney-General Basill were desired to consider what laws made in England might with advantage be applied to Ireland. The same day

1654. OCTOBER—*continued*

letters were addressed to the Protector praying that Lord Muskerry might be encouraged in his efforts to arrange terms for the transportation of Irish soldiers, suggesting a method for satisfying the holders of small debentures, and urging the sale of the houses and lands belonging to the Commonwealth in the counties of Dublin, Carlow, Kildare and Cork as a means of increasing the Revenue. On the 26th a Committee was appointed for the real and effectual prosecution of the work of transplantation. In consequence of a complaint by Cornet Foulk of a deficiency of 312 acres in the lands assigned him for his arrears in the Barony of Fermoy, the Commissioners for setting out lands in County Cork were ordered to make good the deficiency out of such lands as should be discovered by him to belong to the Commonwealth in the same barony.

NOVEMBER 455-463

On 3 November the Surveyor-General and Register for forfeited lands were required to draw up a schedule of all Crown and Bishops' lands, and on the same day a Committee was appointed to hear and determine all claims to forfeited lands. A letter from Cromwell on the 6th commending the case of the Earl of Annandale to the Lord Deputy and Council desired them to allow him to retain such of his tenants as might consist with the safety of the County of Donegal. On the 10th Capt. Robert Preston was required to give evidence as to certain remarks reflecting on the Government made in the course of a conversation with him by Col. Alured. On the 14th the Lord Deputy was instructed to pay Major Peter Wallis £478. 1s. 8d. as some compensation for the losses suffered by him in transporting Irish into Spain, and on the same day the Order of 13 September continuing all commissions *pro tem.* was renewed till further order. In a letter of that date to the Protector the Lord Deputy and Council discussed the pros and cons of a reduction of the army, arguing that less than 15,000 foot and 4000

1654. NOVEMBER—*continued*

horse would be insufficient for the needs of the country. A letter, likewise of the 14th, to Col. Phaire, Major Denison and others required them to appoint capable persons to look after the woods in County Cork. On the 17th H. Markham, E. Roberts and R. Kingdon were appointed Commissioners-General of Assessments and Revenue, and James Standish Receiver-General of the same. The same day Order was given for the collection of customs and excise according to the Acts and Ordinances passed for the same, and on the 20th a letter of the Lord Protector regarding the excise of salt used in the fishing trade was referred to the Commissioners-General of Revenue. A letter from the Lord Deputy and Council to Recorder Steele on the 22nd expressed a hope that they might shortly have the benefit of his presence and advice; and a letter to Sir C. Coote on the 23rd, informing him that the Articles of Galway were to be debated, desired him to be in Dublin in a fortnight. In an Order of the 24th the Lord Deputy and Council declared their inability to set out lands to the Committee for determining Adventurers' Claims until the Adventurers and soldiers were first satisfied. By an Order of the 28th Capt. Samuel Playford was recommended to the Mayor of Dublin to be employed in inquiring into disorders in the city such as using false weights, drunkenness, Sabbath-breaking, keeping disorderly houses and the like. On the 30th permission was given the Kilkenny Submittees to appoint counsel to plead their cause.

DECEMBER 463-473

On 1 December Messrs Cook and Basill were appointed counsel in behalf of the Commonwealth in the forthcoming debate on the Articles of Kilkenny. On the 4th the Lord Deputy and Council were desired to assign General Penn lands to the yearly value of £300, and a letter of theirs on the 10th announced the death of Col. Hammond and Mr Murcott. An Order forbidding the superstitious observance of Christmas

1654. DECEMBER—*continued*

holidays was published on the 18th and on the 20th it was ordered, in connection with the appointment of Dr Petty to survey the forfeited lands, that the surveys already made should be submitted to his inspection, that he should be allowed to press persons to point out bounds and meres, and that he should have free access to all documents and records required by him. The same day orders were sent to the Commissioners at Loughrea to allow four persons and their families to return from Connaught to assist in surveying the barony of Eliogarty; and an application for the payment of certain public-faith debts was ordered to be postponed till the Adventurers and soldiers had been satisfied. On the 21st proclamation was made as to the times when and places where claims to lands were to be submitted to the Commissioners appointed to decide them. Orders were given on the 22nd to search ships for persons being illegally transported to Barbados, to provide for the wants of prisoners in Ulster, and to cause preparations to be made to transport troops from Carrickfergus to Scotland. On Christmas Day Dr Henry Jones and Dr John Harding were required to institute an inquiry into the possessions, rents and revenues lately belonging to the Irish Church, and by an Order of the Protector of the same day Henry Cromwell was added a member of the Council in Ireland. A letter of the Protector's on the 26th desired the Lord Deputy and Council to confer the parsonage of Kells on the Rev. Ambrose Jones, and by an Order of the same day the farmers of the land excise were required to make punctual payment of the money owing by them. On the 28th legal opinion was desired as to what the Adventurers were to do before they could be considered to be in legal possession of the lands assigned them. The same day Commissioners, commonly called the Athlone Commissioners, were appointed to consider and decide the claims of transplanners to grants of lands in Connaught, and orders sent to the Commissioners for examining delinquency in several precincts to

1654. DECEMBER—*continued*

expedite their inquiry. On the 29th instructions were sent the Commissioners at Loughrea on certain points—proprieters' lands in the Barony of Tirawley, widows' jointures, defective certificates and the like.

1655. JANUARY 473-480

1655 opened with an Order on 3rd January for the establishment of a hospital at Dublin for maimed soldiers. On the 6th Commissioners were appointed to inquire what soldiers in Inchiquin's army were entitled to have their arrears stated in accordance with the Ordinance for Protestant Delinquents in Munster compounding, by having been instrumental in the rendition of the Munster garrisons to Cromwell in 1649. By an Order of the same date it was resolved that, as the country was beginning to grow tranquil, the judges should commence their circuits in February, and on the 8th power was given to the Commissioners of Assessments to grant certificates as to land and stock to transplantable proprietors and tenants. On the 24th a ship bound for Barbados was ordered to be searched and the same day Commissioners were appointed to hear appeals on suits arising out of articles of war. A letter from Cromwell of the same date desired the Lord Deputy and Council to admit Nathaniel Weare of New England to take leases. Writing to the Protector on the 25th the Lord Deputy and Council pointed out that the administration of justice was greatly hampered by want of seals to authorise commissions, and that the necessities of the soldiers were such as to have a bad effect on their discipline. On the 26th orders were given for the arrest of Col. Eyre, the transportation of priests in Dublin to Barbados, and the remission of the excise of salt used in the fishing trade. In consequence of several robberies and murders recently committed it was ordered on the 27th that no quarter should henceforth be given to any Irishman found in arms. The same day Secretary Thurloe was informed of Col. Eyre's arrest and on the 31st instruc-

1655. JANUARY—*continued*

tions were given to the Commissioners for setting out lands to the disbanded soldiers as to how the lands allotted them were to be booked.

FEBRUARY 480-482

A letter to Thurlow on 2 February acquainted him that Ludlow had given his word to present himself at Whitehall before 10 March, and that Col. Treswell had been placed under arrest. On the 7th the Committee for approbation of ministers was informed that the Lord Deputy and Council not being satisfied of the ability of Mr Dunbarre had ordered him back to England. An undated letter to the Commissioners of Assessments at Galway called their attention to the fact that £243. 5s. 4½d. advanced for killing wolves was due from the precinct to the Treasury. On the 10th it was submitted to the law officers whether the Adventurers and soldiers could be put in immediate possession of the lands of Protestant Delinquents who had failed to compound, and on the 12th Sir H. Waller and others were required to consider whether the Kilkenny Submittees were entitled by their articles to enjoy the full rents of their whole estates after 27 July 1653. Orders were given on the 16th that the Committee of Articles should meet every Monday; on the 19th that a Committee should consider if Irish tenants might be allowed to remain in the home counties; and on the 20th for a committee to consider what towns required ministers. The month closed with a letter on the 21st from the Protector to the Lord Deputy and Council presenting the case of Sir A. Aylmer to their favourable attention.

MARCH 483-495

In Instructions given to Rowe and Kingdon on 1 March they were required to inform the Adventurers' Committee that it was impossible to yield to the proposals of their agent and to complain of the way their lands were neglected and the scandals raised against the Government; to inform the Protector

1655. MARCH—*continued*

of the growing deficiency of timber, to suggest measures to prevent it and to complain of the way in which the Adventurers were shirking their obligations. The same day commissions of gaol delivery were given to Justices Donnellan and Carwardine for Ulster, and to Justices Santhy and Fowles for Connaught and parts of Leinster. On the 2nd Order was given to prepare a Declaration for confiscating the corn belonging to Irish proprietors who had refused to transplant, and on the 3rd a Committee was appointed to consider what was to be done with those Irish apprehended for not transplanting. The same day the Commissioners-General of Revenue were required to consult with the officers and soldiers as to the leasing of their untenanted lands for the public good. A letter to the Governor of Timolin on the 8th ordered him to explain why the order for transplanting the inhabitants of that town had not been executed. On the 9th Cols. Waller, Hewson, Sankey and others were desired to consider a petition of certain landowners in the "five counties" to retain their Irish labourers; and on the same day the Advocate-General of the army was ordered to proceed in the examination of witnesses touching the qualifications of Irish proprietors. On the 12th a committee was appointed to settle differences that had arisen among the Adventurers as to the division of their lands. A letter to the Commissioners at Loughrea on the 14th advising them that, as the time appointed for the Irish to transplant was expired and that they might be expected to be crowding into Connaught, they were to use their best endeavours to settle them as quickly as possible. A Declaration of the 19th gave authority to the Commanders-in-Chief and others to cause all persons not transplanting as ordered to be arrested and to proceed against them to their trial, condemnation and execution according to the laws of war in case of spies. But by private instructions they were allowed to mitigate the sentence of death to one of banishment and in no case was any one to be executed without special

1655. MARCH—*continued*

instructions from the Deputy and Council. At the same time Dr Philip Carteret was commissioned to watch the trials in the interest of the Commonwealth. By an order likewise of the 19th the agent of the Adventurers and the officers appointed in the army's behalf were required to attend the Commissioners for adjudging claims to have their claims to timber growing on the lands allotted them decided. At the same time order was given for the arrest and punishment of certain Popish schoolmasters in counties Louth and Meath engaged in training up Irish youths in the evil customs of the nation. On the 23rd it was ordered that no lands near garrisons should be leased to Irish Papists ; and the same day Dr Winter was required to exhort the Fellows and students of Trinity College to a " careful walking becoming the Gospel." On the 25th woodreeves were appointed to look after the woods in King's and Queen's counties ; and by an Order of the 26th it was decided that Irish arrested before 2nd March were to be set at liberty on giving security to transplant. In a letter to the Commissioners of the Treasury in England on the 29th the Lord Deputy and Council complained that the delay in sending supplies was adding greatly to the expense of maintaining the army. Nothing less than £32,000 a month would suffice to keep them out of debt. On the 30th certain difficulties connected with the satisfaction of soldiers' widows were referred to the consideration of the Commissioners for stating the accounts of the army ; and on the same day a committee was appointed for the regulation of schools in Dublin. On the 31st an Order of 5 May for setting aside the baronies of Athlone, Ballintober, Tulla and Bunratty for widows of English extraction transplantable to Connaught was confirmed, and at the same time order was given that all Irish in the neighbourhood of Athlone should be removed.

APRIL 495-505

On 1 April authority was given the Commissioners-General of the Revenue to let such lands, tithes and

1655. APRIL—continued

impropriations as were formerly let by Protestants to Irish Papists. A letter on the 3rd from the Lord Deputy and Council to the Loughrea Commissioners, intimating that only Sir C. Coote, Col. Stubbers, Lt.-Col. Brayfield and the Governor of Limerick were authorised to grant passes to Irishmen passing backwards and forwards into Connaught, required them, in order that the transplanners might have no cause to complain of delay, to set out lands to them *de bene esse*, pending the adjudication of their claims. Others of the same date to the Justices of Assize desired them to see that the laws against swearing, drunkenness, vagabondage and the like were put in execution and that all feasible means were adopted to wean the Irish from their lewd customs. On the 4th a committee was appointed to consider how orphans might be provided for out of their father's arrears, and on the 5th Lt.-Col. Brayfield was authorised to grant passes to Irish planters to cross the Shannon to attend the assizes at Athlone, it being at the same time specially forbidden other officers to do the like under penalty of being cashiered the army. On the 9th Orders were passed appointing a committee to consider whether tithes and Church revenues were liable to taxation ; to let the lands of Papists who had failed to prove their constant good affection ; to provide for the maintenance of widows and impotent persons during the time of their dispensation from transplantation ; and to exempt transplanners holding lands *de bene esse* from paying rent in addition to contribution till their qualifications were settled. On the 10th it was ordered that the estates of Delinquents not included in the Articles of Dublin should be let, and on the same day the Commissioners-General of Revenue were required to set out lands near Sligo to Edmund Leech for plantation purposes. On the 11th Cols. Waller, Hewson, Sankey etc. were desired to meet the Lord Deputy and Council to discuss the question of the retention of Irish labourers in the "five counties." Pressing application was made on the same day to the

1655. APRIL—*continued*

Commissioners of the Treasury for money for the army. On the 12th Chief-Justice Cook was ordered to inquire into a charge of oppression brought against the sheriff of Limerick, and the same day instructions were given that the Commissioners at Loughrea should set out lands to the Kilkenny submittees in Connaught. An Order of the 13th forbade the superstitious observance of Easter holidays. On the 18th the Lord Deputy and Council informed their agents in England that they did not think fit to be at the charge of the coining of £3000 in small money, and desired that the Commissioners-General of the Revenue might be the persons appointed to compound with the Protestant Delinquents in Munster. On the 20th it was referred to the judges to consider whether the widows of soldiers who had been active in the rendition of the Munster garrisons were to have the benefit of their husbands' arrears; and on the same day authority was given to the Lord Deputy and Council by an Order of the Protector to fix the fines to be paid by Munster Protestants compounding for their real estates and personal property. By another Order of the Protector and Council on the 24th Ludlow was required not to leave Ireland without special permission. A Declaration touching Tories, murders, thefts etc. was ordered to be proclaimed in all market towns on the 25th, and on the 28th the 3rd May was ordered to be kept as a day of fast on account of the plague in Dublin. An Order exempting transplinters from tolls was made on the 28th, and on the 30th the judges were required to consider whether claims to lands made by Irish proprietors after 23 October 1654 (the time limited by the Ordinance for the further encouragement of Adventurers) were to be treated as valid.

MAY 505-516

A letter to Reynolds, Rowe and Kingdon on 2 May desired them to protest against letters patents being granted until the lands specified in them were properly surveyed. On the 7th order was given that

1655. MAY—*continued*

Dublin should be cleared of Papists, and cabins and other noisome places destroyed. On the 9th Justice Carwardine was required to inquire into a murder in County Fermanagh at the beginning of the Rebellion, which it was endeavoured to hush up. An undated letter of the Lord Deputy and Council to the Protector stated that his order for assigning lands to Messrs Phaire, Wallis and Deane in compensation of their losses in transporting Irish had been complied with. On the 10th the Commissioners-General of the Revenue were ordered to make arrangements for Munster Protestants compounding for their estates at the rates set out in the Order. By an Order of the same day the baronies of Kinalea, Kerrycurrihy and East and West Carbery were set aside as collateral security for the army. On the 12th it was ordered that Lucan market-day should not be held as hitherto on Sunday, and on the 15th arrangements were ordered to be made for the accommodation and relief of English immigrants. In a long letter to the Committee of Adventurers the Lord Deputy and Council endeavoured to remove certain misunderstandings that had arisen as to inaccurate surveys, custodiams, leases, uncleared claims of Irish proprietors, assessments and other discouragements alleged to be placed on the Adventurers. On the 22nd Worsley was ordered to supply the Athlone Commissioners with transcripts of the Down Survey and those at Loughrea with copies of the old survey of Connaught, and at the same time the Commissioners-General of the Revenue were required to find out what the value was of the estates for which the Protestant Delinquents in Munster were to compound. A letter of Cromwell's on the 23rd announced that Sir John Temple was returning to Ireland to resume his office of Master of the Rolls. The same day order was given that the inhabitants of certain villages in Wicklow and Wexford should be transplanted for relieving Tories, and that the Commissioners for granting permission for the retention of Irish tenants in the "five counties" should take

1655. MAY—*continued*

steps to instruct them in the knowledge of Christ. In reference to a petition of one Thomas Walsh, claiming to be excepted from transplantation on the ground of his conversion from popery, it was ordered that he might dispose of the lands assigned him in Connaught and purchase others amongst the English.

JUNE 516-526

At Limerick, whither the Lord Deputy and Council seem to have gone at the beginning of June, order was issued on the 7th to restrain the misuse of dispensations from transplantation by English proprietors desirous of retaining Irish on their estates in that precinct, as also in those of Cork and Kerry, and a letter on the 12th to the Revs. James Wallis and Jeremy O'Quinn invited them to take up their residence in Connaught for a time, in order to preach the Gospel to the natives in their own language. A letter from the President of the Council to the Lord Deputy and Council on the 13th enclosing instructions relating to the clearing of forfeited lands from mortgages and other legal encumbrances announced that an order had been made that the Commissioners for Articles in England should not decide any case without first consulting them, and that the Act for pardon and oblivion was not to be taken to apply to Ireland any more than other Acts in which Ireland was not mentioned. In addition to the points mentioned in the President's letter the instructions authorised the giving of satisfaction to soldiers' widows in money instead of land and the transference to the Adventurers of such leases of lands assigned them as had been made by the Commissioners of Parliament. A letter of the Protector on the 14th announcing that a new Great Seal would be sent over with Sir J. Temple appointed Richard Pepys, Sir Gerard Lowther and Miles Corbett Commissioners for the administration of it. On the 16th fresh instructions were given to Sir C. Coote, Col. Wm. Edwards, Charles Holcroft and

1655. JUNE—*continued*

the other Commissioners at Loughrea for setting out lands to the transplanted Irish on final decrees by the Court of Athlone. To the instructions was appended a list of places in Connaught within which or within one English mile of which no Popish Recusant was to be allowed to reside. By an Order of the 18th the Commissioners at Athlone were required to administer the oath of office to those at Loughrea, and the same day the commission given the former was prolonged till 21 September. A letter to Sir C. Coote of the same date complained that the delay in examining the delinquency of proprietors in the precincts of Athlone and Galway was retarding the public service. By an Order of the 23rd the Commissioners at Loughrea were required to remove to Athlone for the execution of their commission. On their return to Dublin the Lord Deputy and Council on the 25th passed an Order for the appointment of a new committee of trade and a letter of the 27th to the Commanders-in-Chief in the respective precincts notified that the collection for the relief of the Waldenses was to be made from house to house in each parish. A suggestion of Worsley's that, until transcripts of the Connaught surveys could be prepared, lands should be assigned to transplanter on certificates given by him was on the 28th ordered to be acted on.

JULY 526-534

July opened with an order on the 2nd to permit Sir Richard Blake to reside in Dublin while acting as agent for the corporation of Galway ; and on the 3rd Chief-Justice Pepys was desired to peruse and consider the 5th Article in the treaty of Galway. The same day the Commissioners at Loughrea were informed that the order for their removal to Athlone had been confirmed and that they were to assign lands to transplanter on certificates given by Worsley. In a letter to Col. Bridges and the Revs. Richard Moore and Richard Baxter on the

1655. JULY—*continued*

6th the Lord Deputy and Council signified their readiness to afford such ministers as came over on their recommendation suitable maintenance. The same day orders were passed to cause a ship in Dublin harbour to be searched for Irish and others suspected of being surreptitiously transported to Barbados; desiring Justice Cook and Attorney-General Basill to consider the 5th Article of Galway treaty; and recalling certain concessions as to the retention of Irish which were being interpreted so as to obstruct the work of transplantation. On the 10th the Commissioners-General of Revenue were required to consider what rents Irish proprietors in Connaught were to pay while their qualifications were being determined. The following day a petition of the agents of the army for a plenary satisfaction of their arrears was referred for consideration to Messrs Goodwin, Thomlinson, Worsley and Petty. On the 14th a decision was arrived at as to what offences on the part of the old Protestant inhabitants of Limerick were punishable by transplantation to Connaught and order given accordingly. On the 16th it was resolved that, as the lands assigned the soldiers would probably only answer two-thirds of their arrears, the demand for plenary satisfaction could not be conceded. Orders were made on the 18th that persons might take leases of Church and State lands within twenty miles of Dublin for seven years at reasonable rates and that persons, who had taken leases of houses in Dublin, belonging to Irish transplantable to Connaught, should be put in possession of the same. A letter to the Commissioners at Loughrea of the same date reprimanded them for assigning the worst lands in County Clare to those Irish who had first obeyed the orders for transplantation. By an Order of the 20th the agents of the army were allowed to receive the rents accruing from the lands assigned the soldiers in the ten counties, due and in arrear from 23 May last. The order for the removal of the Commissioners at Loughrea to Athlone was rescinded on

1655. JULY—*continued*

the 22nd and the day following they were authorised to allow Irish transplanter to fell timber for building purposes. The same day the claim of the townsmen of Galway to retain possession of their houses and estates in the town and to enjoy two-thirds of their real property elsewhere, by reason of the 5th Article of the treaty, was decided against them. A committee was appointed on the 27th to consider whether forfeiture of lands in England entailed forfeiture of lands in Ireland. An Order was passed on the 29th to protect Irish attending the Commissioners at Athlone and Loughrea from molestation, and on the last of the month a committee was required to consider whether certain Irish who had settled in County Leitrim were to be allowed to remain there or not.

AUGUST 535-538

In answer to certain proposals from the Commissioners at Athlone it was on 1 August allowed that, for the better despatch of business, the Commissioners might act separately, witnesses might be examined *viva voce*, surveys taken upon oath might be regarded as conclusive not merely as to quantity and value but also as to possession, and Irish might enter no more than one claim. On the 2nd a committee was appointed to consider how the monthly assessment of £10,000 might be equitably levied, and by an Order of the 5th Messrs Corbett, Goodwin and Thomlinson were to consider how the debentures issued to soldiers' widows might be purchased with most advantage to the State. A letter from the Protector to H. Cromwell on the 14th in favour of James Coppinger desired that he might be exempted from transplantation. On the 15th the Lord Deputy was desired to consider, in the interest of a retrenchment of expenses, what garrisons might be dispensed with. By a Declaration of the 16th it was ordered that, to prevent the relief of Tories, such Irish as were not included in the rule of transplantation and lived "scatteringly" should

1655. AUGUST—*continued*

be obliged to draw together into villages. On the 20th the question of purchasing widows' debentures was referred to a committee and by an Order of the 25th Ludlow was forbidden to leave Ireland without the Protector's permission.

SEPTEMBER 538-542

September opened with an Order on the 4th forbidding lands to be set out to soldiers who had no intention of sitting down and planting them, and with instructions to Messrs King, Temple, Worsley, Markham, Roberts and Kingdon for letting State lands and houses in the counties of Dublin, Kildare and Carlow. On the 5th order was given to allow the free export of tallow, butter, hides, beef, pork and cattle; and on the 12th soldiers were forbidden to leave the country without the express permission of Henry Cromwell. At Kilkenny on the 18th it was ordered, for the purpose of bringing pressure to bear on the Irish to prosecute their claims before the Commissioners at Athlone, that after the 20th they should be obliged to pay the fees of the court and that none should be allowed to sue in *forma pauperis*. A complaint of Col. Pretty, Major Bolton and others that, by a piece of sharp practice, they had been excluded from sharing in the drawing of lots for lands in County Waterford led to an Order on the 19th rescinding the lots drawn. On the 21st the Commissioners for setting out lands to the disbanded soldiers were required to see that the restrictions in the Order for one month's half-pay, until they were actually settled, were strictly obeyed.

OCTOBER 542-547

By an Order at Dublin on 3 October rewards were offered for the capture of certain Tories in Wicklow and Wexford, and at the same time it was decided that the request of the disbanded soldiers in County Wexford to retain a number of Irish labourers should be referred to a full council. On the 9th a

1655. OCTOBER—*continued*

committee was appointed to consider what could be done to reform the manners and customs of the Irish, and on the 12th it was ordered that all rents due since May should be paid the disbanded soldiers and that the land-excise should be farmed only till May-day 1656. On the 18th Col. Lawrence and Thomas Richardson were appointed to value houses in Galway in the interest of the State. On the 19th orders were given for the arrest of Col. Kempson; for celebrating the 23rd as a day of signal deliverance; and for renewing the commissions to the Commissioners at Loughrea and Athlone till 20 January and 10 February 1656 respectively. The same day Messrs Waller, Reynolds, Hewson and Morgan were desired to consider the Declaration regarding the retention of Irish tenants and servants in the "five counties." By an Order of the 25th no Irish were to be allowed in Dublin Castle after sunset, and by another of the 26th all rents due the State on 29 September were to be paid at once. On the 27th Aldermen Hooke, Hutchinson, and Preston were appointed treasurers of the fund for the relief of the Waldenses. A petition of the townsmen of Galway to be excused the fine of £5000 placed on them by their articles was rejected, and orders given the Commissioners at Athlone to determine the qualifications of the petitioners as speedily as possible. This decision was followed on the 30th by instructions for the valuation of house property in Galway and for clearing the town of all Irish and Popish inhabitants in order to the accommodation of English Protestants. An undated letter about this time to the Commissioners at Athlone required them to adjourn the business of their court till 10 February.

NOVEMBER. 547-551

Order was given on 2 November that 1500 of the soldiers recently disbanded should be forthwith re-enlisted and placed on half-pay while being mustered. On the 3rd a day of solemn supplication was

1655. NOVEMBER—*continued*

appointed and by an Order of the 5th the Master of the Free School in Dublin was dismissed his post for drunkenness and other misdemeanours. A letter to Sir C. Coote on the 14th approved the steps he had taken to clear Galway of its Irish inhabitants and desired him to take care that until the town was re-inhabited no damage was done to the houses in it. On the 17th the Judge Advocate was ordered to prosecute a number of persons refusing to remove from Dublin. By instructions given to Sir C. Coote on the 19th he was to permit twenty masons and labourers to remain in Galway, but he was to take care that all priests were transported, those over forty to the Continent, those under to Barbados. In a letter to Fleetwood (in England) on the 28th the Council entered into a long and not very clear explanation of their conduct in regard to Ludlow. An abortive plan for the establishment of a militia about this time on p. 551 is probably to be attributed to H. Cromwell.

DECEMBER 552-560

A letter to Ralph King on 3 December announced that the Council intended leasing lands belonging to the State and desired him with others to repair to Dublin without delay. In a letter to Charles Whalley at Chester on the 4th the Council proposed sending over a number of Irish children to be apprenticed in England in exchange for the same number of English children to be put to some fit trade in Ireland. The same day a committee was appointed for the reception and relief of distressed English immigrants and order given that certain prisoners, including twenty women, should be handed over to Capt. Norris for transportation to Barbados. Discussing the request of certain Protestant proprietors to be relieved from the payment of their fee-farm rents the Council in a letter to Fleetwood on the 5th, after explaining the course pursued in the reign of James I urged, as reasons for refusing the request, that for some years past

1655. DECEMBER—*continued*

lands in certain parts had been yielding as high rents as they had ever done and that there was apparently no intention on the part of the proprietors to concede a similar privilege to their own tenants. They were not in the same case as the Adventurers and soldiers, and in many instances they were pressing to retain their Irish tenants though contrary to orders. As for the proposal to assign County Leitrim and other lands as additional satisfaction for soldiers' arrears they thought it better to wait till it was seen whether there would be enough land in Connaught to satisfy the Irish transplants. In a letter to the Governor of Barbados on the 8th, announcing that Capt. Norris was transporting a number of vagrants thither, the Council desired him to see that three priests got no chance of returning to Ireland. On the 10th an extension of time was granted to Messrs Phaire, Gookin, Wallis and Worth to consider the claims of the ancient inhabitants of Cork, Kinsale, Youghal and Bandon to constant good affection. In a letter of the same date to Col. Phaire the Council left it to his discretion to enforce the sentences passed on a number of persons for relieving Tories in County Cork, merely advising that, if anything appeared doubtful in the case of those condemned to death, they should be tried at the next assizes. Referring to the damage done by light and counterfeit coin the Council in a letter to Fleetwood on the 12th recurred to the necessity there was of establishing a mint. The same day it was ordered that glebelands should not be set out to soldiers, and that as regards widows' debentures only those which exceeded £150 for arrears since 1649 were to be satisfied in lands. On the 17th order was given that all Quakers should be arrested and in a letter of the same date to Sir C. Coote complaint was made of the dilatoriness in returning examinations as to the delinquency of Irish proprietors. An Order of the 21st forbade the superstitious observance of Christmas holidays, another of the 24th decided that post

1655. DECEMBER—*continued*

stages were to be settled by Evan Vaughan, and by a third on Christmas Day a Committee was appointed to examine what had been said in a conversation between Capt. Grymes and others derogatory to the honour of God. In a letter to the Commissioners for setting out lands to soldiers complaint was made of their dilatoriness in returning such debentures as had been satisfied. In consequence of the great increase of Popish priests it was on the 28th referred to the judges to consider whether the inhabitants of any district where such priests were captured might not be made liable for the fines imposed in such cases.

1656. JANUARY 560-563

The year 1656 opens with a set of Instructions to Sir John Reynolds on 6 January regarding certain matters to be submitted to the Protector, such as dispensations from transplantation, the arrears of the army, the deficiency of judges, the erection of a mint, restrictions on commerce, charters of incorporation and the education of distressed Irish children. In a letter to the Protector on the 7th the Council announced that they had obeyed his order for an additional grant of lands in County Louth to Robert Reynolds, though contrary to the letter of the Act for Satisfaction. On the 17th the Surveyor-General was instructed that, in assigning lands to the soldiers and Adventurers, dubious lands were for the time being to be set aside. On the 18th order was given to the keeper of Newgate gaol to hand over a number of felons to Robert Molesworth for transportation to Barbados. A letter to the Committee of the Navy on the 23rd pointed out the need there was, in consequence of the war with Spain, of ships of war to guard the coasts, and on the 24th orders were sent to the Commanders-in-Chief to keep a sharp look out for Irish said to be returning from abroad and for arms and ammunition landed in out-of-the-way places. Orders were given on the 21st and 30th that Quakers at Dublin and Waterford

1656. JANUARY—*continued*

should be sent to England and on the 30th the Chief Baron of the Exchequer was required to inquire into fraudulent leases of lands by Government officials.

FEBRUARY 563-570

On 1 February a committee was appointed to consider how transplinters to Connaught might receive lands corresponding in quality to those of which they had been deprived, and a letter to the Lord Deputy on the same day advised him that officers were complaining that they could not get debentures for arrears due for service in England. By an Order of the Protector on the 5th the children of Jordan Roche were granted £40 a year for their maintenance out of their father's estate. In a letter to Fleetwood on the 6th the Council informed him what steps had been taken for the preservation of woods belonging to the State, but that severer measures were necessary if the country was not to be depleted of timber. On the 12th the committee appointed to consider how transplinters might receive lands equal to their old ones in value presented an elaborate scheme for effecting the same. A letter of the Council to Fleetwood on the 13th announced that they were pressed by petitions from many towns for new charters of incorporation. On the 18th order was given that depositions of delinquency still outstanding should be returned at once and on the 21st the Mayor of Dublin was required to look sharply after the arrest of Irish Papists. On the 23rd a set of Orders in reference to Irish imprisoned for refusing to transplant, addressed probably to the Commanders-in-Chief of precincts, discriminated between such as were to be continued under restraint and such as might be set at liberty. On the 29th a charge of oppression and indirect practices against two of the Loughrea Commissioners was ordered to be closely inquired into. An undated document gives the charge of the civil establishment at this time at £29,091. 10s. 3d.

	<i>Pages</i>
1656. MARCH	571-586

On 3 March a new commission, omitting the names of the defaulting Commissioners, was issued to the Commissioners at Loughrea, to continue in force till 24 July or further order. In addition to the instructions formerly given them they were required to reserve the County of Leitrim unplanted, to put the proposals of the committee for equalising lands according to quality in execution, to make no distinction between delinquent proprietors in Connaught and delinquent proprietors transplanted thither and to see that no Church or Crown lands were assigned to transplanters. By a further Order of the same date it was intimated that no Irish were to be located on lands in the three-mile limit along the coast either as transplanters or as tenants to English proprietors. By Order of the Protector on the 8th an abatement of £1500 on his composition was allowed Lord Claneboy. On the 10th special instructions, amending those given on 23 February, were issued as to the treatment to be shown to those Irish in County Cork who had been imprisoned for not transplanting. On the 17th it was ordered that such Irish proprietors under restraint, who should give testimony of their having legally renounced Popery, should be set at liberty on giving security to transplant. By an Order of the 18th Sir C. Coote was desired to see that the former Order for the removal of all Irish from Galway was strictly executed. A letter from the Council of State of the same date required the Lord Deputy and Council to investigate the grounds entitling the Crown in Strafford's time to Irish and Protestants' estates in Connaught and Tipperary, and why proprietors had been compelled to take out new letters patents of their estates, with a view to doing justice to them, as also to allow Protestants, who had purchased estates before the Rebellion but had never got possession of them to sue the State for their recovery. By Orders of the 21st Baron Corbett was desired to consider whether and what distinction was to be made between Irish and English Papists, and Messrs Goodwin and

1656. MARCH—*continued*

Thomlinson to consider what encouragements might be offered for the advancement of manufactures. In a set of Additional Instructions given the Lord Deputy and Council on the 27th they were required to distinguish between "forfeited" lands and lands belonging to the State, to promote trade, to grant charters of incorporation, to fix the rent to be paid by Irish transplanter at three half-pence per acre for all profitable lands, to proceed as quickly as possible to assign lands for the satisfaction of '49 arrears in counties Donegal, Wicklow, Longford and Leitrim, and, in case these were insufficient, within one mile of the sea-coast and Shannon, to allow soldiers who desired it to take out letters patents for their estates and to cause those of 1000 acres and more profitable lands to be created into manors, to see that all Church livings that fell vacant in Ulster were given to Englishmen, to take steps to remove the Scots from Ulster and to prevent others from Scotland settling there, to cause courts for probate of wills and of Admiralty to be erected, to remove hindrances to trade between England, Scotland and Ireland, to allow horses to be transported to Barbados and other English plantations on the same terms as from England, to encourage the settlement of foreigners by granting them letters of denization, to clear all lands of mortgages and other legal encumbrances, to erect free schools and provide for their maintenance, to regulate the boundaries of parishes, to apprentice the children of poor Papists to religious people in England and Ireland and otherwise to provide for their proper education, and finally to prevent the export of fuller's-earth. In a letter of the same month to the Commissioners of the Admiralty, deploring the loss of the *Primrose*, the Council emphasised the necessity of assigning some other man-of-war for the defence of the coasts.

APRIL 586-598

April opened with a letter on the 1st to the Protector dealing with a proposed General Pardon to

1656. APRIL—*continued*

Protestants in Leinster, Munster and Connaught and suggesting certain provisos in it. On the 4th a day was appointed for the perusal and consideration of the Ordinance of 20 March 1654 for approbation of public preachers. The same day answers were given to certain queries by the Commissioners at Athlone regarding the ninth Article in the capitulation of Athlone, the Earl of Westmeath and the meaning of "value" in the Articles of Kilkenny, and an Order passed for assigning Col. Markham and Alderman Perrin 1000 acres of land within the three-mile limit of the Shannon. On the 8th the Commissioners at Loughrea were ordered to set aside one barony in County Clare and another in County Galway, but for what purpose does not appear. Further explanations were at the same time given as to what classes of persons were to be included in the general Order for the transplantation of the inhabitants of Limerick. By Orders of the same date Commissioners were appointed to mark out the three-mile limit along the Shannon, and Lord Montgomery of the Ards was freed from confinement on promising not to misuse his liberty to the prejudice of Government. On the 11th Order was given to inquire into certain cases of mutilation of cattle in Connaught and to punish the perpetrators of them. A letter of the same day to the sheriffs reminded them that the time limited for the Irish to enter their claims at Athlone would expire on the 20th, and by an Order of the 15th it was decreed that no Irish turning Tories or wood-kerne should be capable of mercy. A letter from the President of the Council of that date notified that in consequence of his sober and religious behaviour Sir Alexander Stuart's estate was to be freed from sequestration. Another from Col. Herbert on the 16th announced that the Council were sending the son of the late Col. Walter Bagenal to England to be apprenticed to some religious person in London. On the same day the Council in a letter to the Protector reverted to the subject of the damage done by light and counterfeit

1656. APRIL—*continued*

coin and the necessity of establishing a mint. By an Order of the 18th it was referred to Attorney-General Basill to consider the Ordinance for indemnity to English Protestants in Munster and how the penalties for not compounding might be enforced. On the 23rd an elaborate scheme for an equitable division of lands between the different regiments was drawn up by a Committee of the Council. A set of Resolutions bearing on it, passed by the officers of the army, was ordered on the 25th to be returned to them for reconsideration. In a letter of the same date to the Commissioners at Athlone the Council expressed themselves satisfied at their proceedings, but desired that, before judgment was given in cases of constant good affection, a brief statement of the evidence *pro et con* should be furnished them.

MAY 598-601

On 3 May order was given to pull down a Maypole erected at Ring's End. Permission was given on the 5th to the Commissioners at Athlone to dissolve their court at their discretion. A letter of the 7th to Fleetwood announced that so many persons had been arrested for not transplanting that the Council did not know what to do with them. On the 9th the Council decided to hand over all the lands liable for the satisfaction of the arrears of the army for service in Ireland since 1649 and in England before that date, with the exception of the counties of Wicklow, Longford, and Donegal reserved for Irish '49 arrears, to a body of trustees, to be appointed by the army, to divide at their discretion. By an Order of the same day it was referred to the Master of the Rolls, the Attorney-General, Auditors-General and Surveyor-General to draw up a form of grant for lands to pass the Broad Seal. On the 14th the officers of the army announced their grateful acceptance of the decision of the Council and the appointment of Messrs Abbot, Sadler, Morgan, Gookin, Petty and Symner as trustees of the army. On the

1656. MAY—*continued*

21st the sheriffs in the respective counties were authorised to liberate such Irish as had been arrested for not transplanting, on condition of their immediately complying with the orders to that effect ; and on the 26th order was given for the preservation of woods in and about Wexford and Carlow. A letter of the 27th to the Commissioners at Loughrea forbade them assigning lands to Irish transplanters in County Leitrim notwithstanding Decrees to that effect, but rather to place them in County Mayo.

JUNE 601-609

June opened with an Order on the 3rd to the Attorney-General to devise some plan for the effectual discovery of concealed estates, and on the 4th the judges were required to consider whether houses in corporate towns were to be regarded as State property or liable to the satisfaction of Adventurers and soldiers. On the 5th Col. Cooper was ordered to remove the Irish Papists still remaining in counties Cavan and Monaghan, and on the day following Henry Cromwell was desired to take steps for the removal of those who had presumed to return to County Wicklow. Commissioners were appointed on the 13th to hear and determine all differences as to lands that had arisen among the Adventurers, and on the 16th the Commissioners at Loughrea were authorised to proceed to a final adjudication of claims to constant good affection, without submitting the evidence *pro et con* to the Council. On the 18th Justices Cook, Santhy and Halsey were appointed Commissioners for hearing and deciding the claims of the natives of Cork, Youghal and Kinsale to constant good affection. A summary of their proceedings is given in a note on pp. 604-607. On the 20th the Lord Deputy and Council were desired to set out 3000 acres of lands, formerly belonging to the Church in the County Limerick, to the Adventurers' Committee for a term of 99 years at a small annual rent. On the 23rd the Trustees of the army were

1656. JUNE—continued

authorised to give notice that officers and soldiers might have letters patents for their lands if they desired. By an Order of the following day the Commissioners at Loughrea were instructed that no Irish were to have lands allotted to them in County Mayo either as proprietors or tenants. The month closed with a promise on the part of the Council to satisfy the arrears due to soldiers' widows to their full value either in money or land, provided debentures were handed in before 1 May 1657.

JULY 609-613

On 7 July Messrs Gookin, Petty and Symner were appointed Commissioners for setting out lands to the soldiers in the ten forfeited counties, and on the 11th the commission to the Commissioners at Loughrea was prolonged till 10 September. In answer to certain proposals from them it was ordered on the 17th that, in view of the shortage of lands to meet transplanter's decrees, the three-mile limit along the Shannon and sea-coast should be reduced to one mile and lands in County Mayo and elsewhere not already given to the soldiers be assigned the Irish, that, as the plan for appointing certain baronies in Connaught for each county in the three other provinces had proved impracticable, care should at least be taken to assign lands to transplanters as like as possible to those of which they had been deprived, that transplanters who had got lands *de bene esse* should not be removed from them and that 10 August should be the last day allowed for the presentation of claims. Orders were given on the 18th that Sir C. Coote should advise as to what garrisons should be kept up in Connaught; that Nathaniel Brewster should catechise children at Christ Church, Dublin; and that Chief Justices Pepys and Lowther should decide whether the quit rents payable by the Adventurers and soldiers were to be reckoned per English or Irish acre. On the 21st it was ordered that the 25th should be kept as a day of public prayer and

1656. JULY—*continued*

fasting. In Instructions given to Major Morgan on the 22nd, he was required to inform the Protector that the monthly charge on England would amount to £17,000, to urge the necessity of establishing a mint, to desire that steps should be taken to repopulate Galway, to know what was to be done with certain Irish prisoners at Cork, taken on board a man-of-war from Ostend, to direct his attention to the fact that Adventurers and soldiers were dissatisfied at the extension of time given Irish proprietors to prosecute their claims in the eleven counties, and to request that ships should be sent to guard the coasts from pirates. An Order of the Protector and Council of the same date instructed the Lord Deputy and Council that the prisoners at Cork were to be proceeded against as rebels. A report that they were starving led to an Order on the 29th for their relief, and on the same day it was decided that, as regarded those Irish imprisoned for not transplanting, such as appeared dangerous should be transported to the Caribbees.

AUGUST 614-620

On 1 August orders were given that the 8th should be kept as a day of public thanksgiving in commemoration of the victories at Dungan Hill and Rathmines, that the Commander-in-Chief should be invited to draw up a scheme for the establishment of a militia, and that Sir C. Coote should remove such Irish as had migrated from Ulster into County Leitrim to other places in Connaught. A letter to the Commissioners at Loughrea on the 4th, in reference to a request of Col. Sadler for a grant of the castle and lands of Clare, informed them that, though unable to give any definite order in the matter, the Council desired that every possible encouragement should be given to Col. Sadler. The same day William Bury was added a member of the Irish Council. On the 5th the Commissioners at Mallow were authorised to continue their sittings till 10

1656. AUGUST—*continued*

September. A letter from Cromwell on the 9th expressing indignation at the legal proceedings instituted by the Earl of Westmeath against Col. Markham for merely executing his orders, desired the Lord Deputy and Council to see that such proceedings were discouraged. On the 12th Sir C. Coote submitted a list of such garrisons in Connaught as he thought ought to be maintained. In answer to an inquiry from Capt. Evans as to the course to be pursued in elections to Parliament he was referred by a letter of the same date to the directions given in the Instrument of Government. By an Order of the 18th the Judges of Assize were required when going circuit to consult the opinion of those best able to advise them how the assessments might be most equitably levied. In a letter to Fleetwood on the 20th the Council protested against the inference that, because the taxation of Ireland had been raised to £12,000 a month, by the Ordinance for the further encouragement of Adventurers, the country was in a condition to do with a smaller subvention from England. The fact was the Treasury was at a very low ebb and supplies were urgently needed. The same day order was given for the examination of Irish Papists who had returned to Ireland without leave. On the 21st Henry Cromwell was desired to inquire into the presence of creaghts in County Meath and to take stringent measures to put an end to that lewd habit of life amongst the Irish. On the 25th Justices Cook, Santhy and Halsey were appointed additional Commissioners for trying the qualifications of the natives of Cork. A letter to the Protector on the 26th intimating that the malignants were showing signs of increased activity, authorised the Lord Deputy and Council to cause dangerous persons to be arrested, and, if necessary, transported abroad. On the 27th instructions were issued to the sheriffs in the different counties to inquire what Irish proprietors or their families were still untransplanted and to transmit a list of their names to the Council.

	<i>Pages</i>
1656. SEPTEMBER	620-627

September opened with an Order on the 1st, based on the information contained in the Protector's letter, for clearing Galway, Limerick and Londonderry of all Irish and disaffected persons, and on the 2nd Orders were issued to the officers commanding in the different counties to guard against any attempt of the malignants to disturb the Government and to cause all dangerous persons to be arrested. The same day Henry Cromwell was desired to take steps for the formation of a militia for the defence and security of the country. On the 3rd the Commissioners for stating the accounts of the army were informed that their commission was to terminate on 3 December. A list of members elected to represent Ireland at Westminster was returned to the Clerk of the Commonwealth on the 4th. By Orders of the 5th the Commissioners at Mallow were allowed to continue their sittings till the 29th, those at Loughrea till 25 November, the latter by a subsequent Order on the 9th till 28 February 1657. A letter of the 9th instructed Col. Cooper that priests who had given genuine evidence of their conversion were to be dispensed from transportation. On the 11th seven priests at Cork were ordered to be transported to France and by an Order of the 12th the Commissioners for setting out lands were required to remove from Dublin Castle to a house in Dame Street to avoid any danger arising from the number of Irishmen frequenting their court. On the 17th Order was given to hand out arms to the trainbands and on the 23rd search was ordered to be made for persons carrying on a correspondence with malignants in England. On the 23rd Col. Cooper was authorised to administer the oath of abjuration to such priests as professed themselves convinced of the error of Papacy and thereupon to dispense with their transportation. In a letter to Fleetwood on the 24th the Council emphasised the necessity of sending an immediate supply of money for the army.

1656. OCTOBER	627-631
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Writing on 7 October to Henry Cromwell (at the time on a tour of inspection) the Council informed him that Col. Moore's regiment had sailed from Carrickfergus for Jamaica and might by that time be expected to have got as far as Kinsale. A petition of Major Desbrow asking for a grant of the castle and lands of Ballinasloe as part satisfaction of his arrears was by an Order of the Lord Protector and Council on the 14th referred to the Lord Deputy and Council, recommending that a lease for 21 years should be made to him of the lands in question. By another Order of the Protector and Council on the 16th the Commissioners at Loughrea were required to reserve 4000 acres of profitable land out of the Earl of Clanricarde's estate for the benefit of his countess. Order was given on the 17th that the 23rd should be observed as usual as a day of thanksgiving. On the 20th Order was given for securing Sir Maurice Eustace's papers and for a revision of the lands granted *de bene esse* to transplanter, in order to satisfy orders on decrees from the Court of Athlone. On the 21st it was ordered that 5 November should be kept as a day of public thanksgiving for the success of the fleet and in commemoration of the deliverance from gunpowder plot. The same day a petition of Edward Plunkett, for some years a prisoner at Sallee, asking for restoration of the small estate left him by his father, the Earl of Fingal, was referred by Order of the Protector to the Lord Deputy and Council to do therein as justice required. On the 27th Sir C. Coote and Col. Ingoldsby were directed to make a small weekly allowance to certain individuals, recently arrested, in gaol at Galway, Limerick and Athlone.

NOVEMBER	631-645
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November opened with an Order on the 3rd to the Attorney-General to draw up heads of a new charter for Limerick. On the 7th one Mason, clerk to the Commissioners at Loughrea, was dismissed his post for receiving bribes. On the 11th Sir C. Coote and

1656. NOVEMBER—*continued*

Justices Cook and Santhy were required to consider how, in the deficiency of land in Connaught to answer all claims of the transplanners, the outstanding decrees of the Court of Athlone were to be satisfied. A letter of the same day to Col. Lawrence at Cork desired him to inspect the *Plain Dealing* and to report if he found her sufficiently seaworthy to transport Col. Moore's regiment to Jamaica. A list of persons appointed to serve as sheriffs during the forthcoming year was published on 12 November. On the 18th instructions were given to the Commissioners for stating the accounts of the army as to the different classes of arrears for which debentures were to be granted. On the 19th instructions were issued to the Provost-Marshal for the suppression of Tories and other malefactors. In a letter of the same date to Fleetwood the Council desired that something should be done for the advancement of the Gospel and for indemnifying officials serving the Commonwealth. On the 25th Col. Ingoldsby was required to take steps to suppress Quakerism and on the same day Henry Cromwell was desired to see that a former Order for the removal of Irish from County Wicklow was executed. An abstract of all the monies received and paid for the public service in Ireland from August 1649 to November 1656 is given at pp. 638-645.

DECEMBER 645-648

In a letter to the Protector on 3 December the Council called his attention to the fact that the army was six months in arrear of pay. An Order of the Protector and Council on the 24th fixed the rent to be reserved on the lands granted the Adventurers' Committee at fourpence per acre. A letter of the Council to Col. Lawrence on the 9th desired him to make strict inquiries into the wreck of the *Two Sisters*. Another to Fleetwood on the 10th emphasised the necessity there was of authority being given them to grant leases of lands and houses belonging to the State for a longer period than one year. An Order

1656. DECEMBER—*continued*

of the same day gave permission to the Commissioners of Accounts to continue their sittings notwithstanding a former Order on 7 September. On the 18th the Council transmitted to Fleetwood the draft of an Order empowering the appointment of fit persons to review the Decrees of the Court of Athlone. By an Order of the same date Messrs Harrison, Worth and Wilkinson were added to the Committee for the trial of ministers. On the last day of the year Orders were given for the discovery of persons refusing to transplant and for the ejection of Irish Papists from all walled towns.

1657. JANUARY 648-650

The year 1657 opened with a letter on 7 January from the Council to Gookin and Markham desiring them, if they could be spared from Parliament, to assist them in letting the lands and houses belonging to the State. In a letter to Fleetwood a week later, referring to the delay in transmitting the commission for letting State lands and houses, the Council desired that he would see that no restrictive clauses were introduced into it and that it was sent over if possible before May. A letter from the Council to Capt. Warren on the 27th in reference to Dermot Ryan, a Tory, desired him to see that he was tried according to the stipulations in his surrender.

FEBRUARY 650-655

On 6 February instructions were given the Mayor of Dublin as to how a number of Irish Papists arrested at Proudfoot's Castle on the 2nd were to be treated. In answer to a letter from Capt. Parke of Newtown Castle with information as to the submission of two Tories in County Sligo, he was on the 9th ordered to set them at liberty on their giving good security to stand their trial at the next assizes. Order was given the same day to the Commissioners at Loughrea not to dispose of any more lands in the Barony of Clare, County Galway, without special instructions. A letter also of the 9th to Messrs Lawrence, Saunders

1657. FEBRUARY—*continued*

and Southwell at Cork desired them to see that the *Plain Dealing* with Col. Moore's men sailed as soon as possible and appointed the *Paradox* or *Bassing* to act as convoy. In a set of Additional Instructions given to the Lord Deputy and Council on the 16th they were authorised to grant new charters of corporation wherever they thought such conducive to the well governing of the inhabitants and the advancement of trade; to levy a quit-rent of three half-pence an acre on the lands assigned Irish transplanter in Connaught after one year's peaceable possession of them; to grant letters patents to officers and soldiers in confirmation of the lands allotted them; and to permit estates of 1000 acres of profitable lands and upwards to be made manors with all the privileges attaching to such grants. By an Order of the same date the 27th was set apart as a day of public thanksgiving for the preservation of the Protector's life. Another also of the 16th directed the Receivers of Public Revenue in Connaught to allow Irish transplanter, on lands assigned them by decrees of the Court of Athlone within the contracted line along the Shannon and sea-coast, to enjoy the rents due to the State from its tenants since 1 May 1656. On the 18th Order was given to search a vessel from France suspected of having counterfeit coin on board. On the 25th it was resolved on the report of a committee for regulating parish boundaries etc. that, for the purpose of establishing a godly and able ministry, a salary of £200 a year, payable out of the treasury of tithes, should be assured such ministers as were appointed.

MARCH 655-659

By an Order of 2 March the manor, lands and town of Portumna were settled on Henry Cromwell and his heirs in perpetuity and the same day a committee was appointed to clear the lands assigned the soldiers and Adventurers of mortgages and other legal encumbrances. On the 4th all orders for transporting vagabonds to the West Indies were recalled

1657. MARCH—*continued*

owing to the misuse that had been made of them to kidnap other persons, both English and Irish, and order given that in the future the punishment of vagabonds was to be left to the ordinary course of justice. A letter from the Council to Secretary Thurloe of the same date desired him to cause it to be generally known that, for the encouragement of English settlers, no Irish Recusants were to be allowed to dwell in walled towns. At the same time Sir John Reynolds and Major Morgan were instructed to inform the Protector that all their efforts to counteract the bad effects on trade of foreign and counterfeit money had proved unavailing and to desire authority to act in the matter according to their discretion. By an Order, likewise of the 4th, dispensation from transplantation was granted 50 Irish families employed by Sir C. Coote in his iron-works at Mountrath. A letter to the Mayor of Cork on the 10th, in reference to scandalous publications, desired him to inquire into the existence of a printing-press in that city. By an Order of the 17th, 30 September was appointed as the date when the Commission for setting out lands to Irish transplanters was to terminate. A letter to Messrs Hill, Newburgh and Rawdon on the 24th desired them to return a list of the names of those ministers in Ulster, in receipt of salaries from the State, who had refused to observe the Order for a general thanksgiving for the preservation of the Protector's life. By a letter of the Protector on the 27th in behalf of the grandson of Edmund Spenser the Lord Deputy and Council were desired to restore him to his estate of Kilcolman and to assign reprisal lands to the soldiers to whom it had been allotted.

APRIL 659-662

On 1 April permission was granted to Thomas Walsh of Piltown, who had given evidence of his conversion to Protestantism, to compound for his estate in County Waterford. On the 3rd instructions were issued for letting glebes and parochial tithes

1657. APRIL—*continued*

for the maintenance of ministers of the Gospel in the several counties. A letter of the Council to Secretary Thurloe on the 7th, giving an interesting description of Galway, suggested that, for the better planting and security of the town, it should be granted to the Corporation of Gloucester in lieu of the satisfaction in lands guaranteed it by the Act for Satisfaction.

MAY 663-664

Writing to the Protector on 6 May the Council expressed their regret that their efforts to effect an arrangement for removing the legal encumbrances on the lands of the Adventurers and soldiers had not been successful, but they pointed out that, by the Ordinance for the encouragement of Adventurers, lands in County Kildare had been assigned for reprising such encumbrances and they would be glad to have his instructions in that particular. A letter to Col. Duckenfield on the 26th desired him to continue the relief given by him to certain Popish priests in prison at Carrickfergus, assuring him that the money laid out would be reimbursed him.

JUNE 664

On 2 June Major Rawdon was desired to inquire into the conduct of Major-General Monro as commander of the Scots' forces in Ulster during the Rebellion.

JULY 664-668

A letter to Thurloe on 8 July requested that care might be had for the official transmission of public documents. The Act for Assessments that had reached the Council by a private channel could not for that reason be acted on. Another of the same date to the Protector calling his attention to the fact that the debt due to the army from England amounted on the 5th to £67,373, desired that the money might be at once transmitted and the bulk in specie. On the 17th instructions were given

1657. JULY—*continued*

Messrs Lawrence, Markham, Gookin, King and Hooke for the leasing of lands belonging to the State in the counties of Dublin, Kildare, Carlow and Cork for any term not exceeding 21 years, as also of all houses in walled towns. A list of walled towns is dated the 20th. In a letter to the Protector on the 22nd the Council explained what steps they had taken to satisfy the transplanter in Connaught, but there was still a deficiency of lands to answer all legal claims and, as the County of Leitrim had been assigned for the satisfaction of '49 arrears, they were at a loss what course to pursue. In another letter of the same date they announced that they had instituted an inquiry into the state of the Revenue and the charges due on the Civil List. They were not able to state the precise figures but they had hopes of fixing the civil charge at about £34,000 a year. The debt due to army from England amounted to £62,425.

AUGUST 668-670

A letter from the President of the Council to the Deputy and Council on 5th August stating that only £1092 had been transmitted from Ireland to the fund for the relief of the Protestants in Piedmont, desired to have the balance forwarded. A letter of the Protector's on the 7th in reference to the losses endured by ship-owners in transporting Irish to Spain and the necessity of making them compensation throws considerable light on the conditions under which the transportation was effected and the reluctance of Government to appear openly in the business itself.

SEPTEMBER 670-672

On 22 September Messrs Clotworthy, Skeffington, Cooper and others were ordered to inquire into a disturbance arising out of an attempt on the part of the Presbyterian congregation at Drumabo headed by their minister to prevent the Rev. Wm. Dix, minister at Belfast, preaching at Derryaghy.

lxviii *Summary of Contents of Documents*

	<i>Pages</i>
1657. NOVEMBER	672-673

Following the appointment of Henry Cromwell as Lord Deputy fresh instructions were issued to him and the Irish Council on 16 November not differing materially from those formerly given to Fleetwood.

DECEMBER	673-675
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On 14 December Proclamation was made that the time appointed by the Act for the attainder of rebels, for prosecuting claims to any houses and lands in any other than the eleven counties would expire on 1 June 1658 and appointing Commissioners to hear and decide all claims still unprosecuted. A letter of the Protector on the 22nd ordered the Deputy and Council to assign lands in Wicklow to the value of £10,000 to Liverpool according to the terms of the Act for Satisfaction. Another of the 30th gave the Protector's consent to a scheme of some well-minded individuals for applying certain debentures in purchasing houses to the yearly value of £2000 to be devoted to the advancement of learning.

1658. JANUARY	675
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On 26 January 1658 Messrs Gookin, Petty, King and Symner were appointed to inquire into the state of the Adventurers' lots.

MARCH	675-679
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A letter to the Governor of Galway on 5 March, in reference to a former Order for providing for the maintenance of a number of priests confined on Innisboffin, intimated that the judges on circuit would probably be sending more thither. In a letter to the Protector on the 9th the Deputy and Council regretted their inability to comply with his order for assigning lands in Wicklow to Liverpool and suggested allowing it to share Galway with Gloucester. Writing again to the Protector on the 12th they stated that, as their letters had proved ineffectual, they were sending Standish over to explain the seriousness of the situation to him. The instructions given Standish on the same day required him

1658. MARCH—*continued*

to repair with all speed to England, to explain how it came to pass that despite all efforts to economise the arrears due to the army were so great and so pressing, to state that the Civil charge amounted to £35,000 annually, to make it appear that, if £96,000 were sent over at once to pay off debts, it would be possible to reduce the monthly charge of the army from £28,862 to £23,500 or even to £22,000—*i.e.* £264,000 annually. To meet this total charge of £299,000 they had the monthly assessments of £9000 or £108,000 annually and a Revenue (excluding customs and excise) of £28,000. He was to desire that the balance (£163,000) should be fixed upon some certain revenue to be paid monthly. A petition of certain Protestants of Dublin that no Papists or persons who had married Papists should be allowed to bear any office in the city was referred to a committee of the Council on the 15th to examine the facts of the case. On the 17th it was referred to a committee of ministers to inquire whether a certain Edward How was qualified to be appointed minister of the church at Charlemont. A letter to the Governors of Derry and Magherafelt on the 23rd required them to make inquiries as to the destruction of timber in the counties of Londonderry and Tyrone by one Ellison for his iron-works on the Bann.

APRIL 679-680

On 20 April a general collection was ordered to be made in behalf of the distressed Protestant churches in Poland. A letter from the Protector on the same day approved the suggestion of allowing Liverpool to share Galway with Gloucester.

MAY 680-681

Writing to the Committee of Adventurers at Grocers' Hall on 7 May the Lord Deputy and Council informed them that they were sending Dr Petty to confer with them as how best to afford full and ample satisfaction to the Adventurers.

1658. JUNE	681-684
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A letter to Dr Clarges on 16 June in reference to certain lands at Armagh of which a lease for one year had been made in December to a certain John Lockart, stated that the lands in question were desired for plantation purposes. Lockart it was said was trying to pass a patent of them for a considerable term of years. Clarges was desired to state the facts of the case to Thurloe and to prevent the patent in the interest of the proposed English plantation. On the 18th the Lord Deputy and Council wrote to the President of the Council acknowledging the receipt of certain proposals for the erection of light-houses and buoys on the coast of Ireland, which they had submitted to certain merchants and, according to their report, it was thought it would be advantageous if light-houses were erected at the Head of Howth, the Tower of Hook and the Old Head of Kinsale.

JULY	684-685
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A letter to Dr Petty on 7 July desired him to assure the Adventurers that Government would not fail to give them every encouragement in its power. Another of the same date to the inhabitants of Gloucester desired them to consult with those of Liverpool as to how the well-planting, improving and reviving of Galway might be best advanced. Writing to the Protector on the 14th in reference to the damage done to trade by pirates especially in County Cork, the Lord Deputy and Council desired that a competent guard of ships should be appointed for the defence of the coasts. A letter of the Protector's on the 16th, regarding a petition of Lt.-Col. Nelson for compensation for the losses incurred by him in transporting Irish into Spain, intimated that, while he could not of his own authority do as the petitioner desired, yet he would be glad if the Lord Deputy and Council could discover some way of indemnifying him.

1658. SEPTEMBER	<i>Pages</i> 685-686
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The next document is the Proclamation on 11 September of Richard Cromwell as Protector.

OCTOBER	686-689
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A letter to the High Sheriff of County Monaghan on 8 October reprimanding him for setting at liberty on his own authority certain persons convicted at the assizes for not transplanting, ordered him to immediately rearrest them. Writing to Sir C. Coote and Col. Sadler on the 26th about a number of persons (eighty to a hundred) condemned at the assizes for not transplanting to Connaught, the Lord Deputy and Council desired them to take steps for their transportation, pursuant to the Act of Attainder, to Barbados. Referring to a petition of the Viscountess Fitzwilliam of Merrion for leave to repurchase some lands mortgaged before the Rebellion, the Lord Deputy and Council on the 27th forwarded without comment to the Lords of the Privy Council an extremely compromising letter from her husband to the Supreme Council of the Confederates.

NOVEMBER.	689-691
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A letter from the Lord Protector on 9 November in favour of Lt.-Col. James Nappier desired the Lord Deputy and Council to assign him lands to the value of £1200, within the security of the army for service since 1649, in compensation for losses incurred by him in transporting Irish to Spain. Writing on behalf of the Deputy and Council on the 17th to Dr Petty in London, Col. Herbert expressed a hope that he would leave no good means unattempted to reconcile differences among the Adventurers. A letter to Edward Smyth on the 29th informed him that order had been given to deliver to him or his agent at the Indian Bridge in Barbados ten men and two women.

1659. JANUARY	691-692
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The year 1659 opens with a letter on 4 January from the Lord Deputy and Council to the Protector announcing the death of Chief Justice Pepys and desiring that some fitting person should be appointed to fill his post.

MARCH	692-693
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A letter from William Petty as Clerk of the Council on 15 March to Benjamin Worsley thanked him on behalf of the Lord Deputy and Council for his care in clearing the country of Tories. Writing to the Protector on the 16th the Lord Deputy and Council protested against the growing habit of making grants of lands and houses to individuals to the detriment of persons, who had a prior claim by Acts and Ordinances of Parliament to satisfaction for debts owing them by the State, as also to the providing for the maintenance of an able and godly ministry. Further grants, especially of Church lands, would seriously damage the Revenue and render an increase of taxation necessary. Information of the presence of a pirate in Dublin waters was sent to the Commissioners of the Admiralty on the 16th.

APRIL	694-695
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Referring to an Order for a grant of Church lands to Lord Goffe the Lord Deputy and Council on 13 April renewed their protest against such proceedings to the detriment of the Revenue. On a petition of Dr Yarner to be allowed to retain a number of Irish labourers (mentioned by name) on his estate in County Wicklow, it was on the same day ordered that he might do so, provided none of the said persons were natives of that county and that he would use his best endeavours to convert them and to make them conformable to the English in their habits. On the 27th information was sent Dr Clarges of the seizure of a number of Popish books at the port of Dublin.

1659. MAY	695-696
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Answering a letter of the Mayor of Galway as to the retention by English Protestants of Irish servants the Council on 10 May insisted that the orders given for clearing Galway of all Irish Papists should be strictly observed. On the 18th it was ordered by Parliament that the whole business of settling lands on the Adventurers and soldiers should be taken into consideration and an Act thereupon prepared. A letter of the Lord Deputy and Council to Fleetwood on the 25th announced that they were sending over Wm. Bury to report on the situation.

JUNE	696-697
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On 7 June it was resolved by Parliament that the government of Ireland should be entrusted as formerly to Commissioners and that Henry Cromwell should be recalled to give an account of the state of affairs in that country. A letter from Speaker Lenthall to Messrs Steele and Corbett on the 14th acquainted them with the political change that had taken place and intimated that until further notice they were to take charge of the administration of affairs. By virtue of the authority thus given them Steele and Corbett issued orders on the 21st and 22nd to Sir H. Waller and Major Jones to take measures for the safety of Dublin. On the latter date licence was given to several persons to accompany Henry Cromwell to England.

JULY	697-700
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On 6 July it was ordered that the arms of State should be rectified as when the government was under the Commonwealth. By an Act passed on the 7th Messrs Jones, Steele, Goodwin, Thomlinson and Corbett were appointed Commissioners of Parliament for the affairs of Ireland. On the 11th orders were given to concentrate troops in County Monaghan to guard against any disturbances in the north ; to Messrs Meredith, Santhy, Gorges, Roberts and others to inquire into the state of the Revenue and to the Comptroller of the Train to cause what repairs were

1659. JULY—*continued*

necessary for the security of the Castle of Dublin to be made. Eleven soldiers returned from Jamaica were on the 15th ordered to be added to the muster-roll of Col. Hewson's regiment, and on the 18th it was ordered that the tithes and glebes in King's County should be let for a year to the best advantage of the State and that the Commissioners should report any obstructions to the Board. On the 19th order was given to Capt. Warren to arrest John Hodges of Parkesgrove, County Kilkenny, and to secure his papers. An Act of Indemnity passed on the 12th was ordered to be forthwith published on the 25th, and on the 26th John Hodges was committed to the safe custody of the Sergeant-at-Arms. By an Order of the 27th Messrs Fenwick and Warren were authorised to inquire into the lives and conversation of two ministers in County Down. A letter of the President of the Council on the 30th desired that 1000 foot and 500 horse should be sent to England to counteract the designs of the common enemy.

AUGUST 700-709

On 2 August John Vernon was appointed Parliamentary agent for the affairs of Ireland and on the 4th Standish was ordered to report the exact strength of the army. Warrants were issued on the 5th for the arrest of Lord Montgomery of the Ards and Wm. Warden of Burntchurch, County Kilkenny, and the same day Capt. Glover was ordered to sail at once to Holyhead to gain intelligence of what was happening in England. On the 6th it was ordered that an embargo should be placed on all ships in Dublin harbour for a week ; that all pikes and arms lent the militia for Dublin should be forthwith returned to the stores ; that 100 men, to be transported by Capt. Philpott, should be sent to strengthen the garrison of Beaumaris under the command of Col. John Jones ; and that a number of leading Irishmen (mentioned by name) transplanted to Connaught, should for precaution's sake be placed under arrest. On the 8th permission was given to the well-affected citizens of

1659. AUGUST—*continued*

Dublin to exercise their arms at a public drill-ground to be erected by them and the same day it was ordered that James Byrne, formerly a Lt.-Colonel under Hugh McPhelim O'Byrne, should be committed to Kilmainham for returning to County Wicklow without leave. A letter from Whitelock on the 9th advising the Commissioners that Chester had been captured by the enemy and communication with Ireland interrupted, warned them to be on their guard. Orders were issued to Waller on the 11th to see that the arms of the soldiers to be sent to England were fixed, and to Lt. Molyneux on the 12th to inspect the fortifications at Drogheda. On the latter date Dr Winter was desired to appoint some minister to supply Mr Jenner's place at Drogheda. Orders were given on the 13th that the militia of Dublin should be employed only for the defence of the city and on the 16th that the embargo on ships in the port of Dublin should be taken off. On the 19th the Governors of Limerick and Athlone were instructed to exercise great caution in granting licences to transplinters having legal business to transact outside Connaught. On the 22nd orders were given to Col. Brayfield to confiscate the arms and horses of Capt. R. Edmonds reported to have joined the enemy at Chester ; to Col. Sadler to see that no Irish removed from Galway were allowed to return thither without licence from the Commissioners or the Commander-in-Chief ; to the Governor of Carrickfergus to send Dr Jeremy Taylor to Dublin under safe escort ; as also for the arrest of the Rev. Heritage Badcock and the release of Daniel Jenifer on security to appear when wanted. On the 23rd it was ordered that James Dillon, a transplantable person, charged with threatening peaceable people in County Longford, should be arrested ; that all priests, and persons concerned in the Rebellion in Dublin and suburbs should be secured and their arms and horses confiscated, and that Bradshaw and Bonnell should be apprehended for spreading false reports. On the 24th Standish was required to see to the provisioning of the garrisons, and on the 26th the

1659. AUGUST—*continued*

Mayor of Dublin was ordered to clear the city of all vagabonds and to put the laws for the observance of the Lord's Day in execution. Orders were given on the 29th that the 31st should be observed as a day of solemn prayer and fasting, that the Justices of the Peace in County Wicklow should examine certain Irish persons as to a design in hand to massacre the English inhabitants in that county, and that the officers at the sea-ports should search all vessels from England for persons suspected of being concerned in the late rising. The same day the Council of State appointed a Committee for Irish and Scotch Affairs, and on the 30th orders were given to the Comptroller of the Train and the Deputy Commissary of Musters to issue out arms for supplying deficiencies in the different foot regiments.

SEPTEMBER 709-713

September opened with an order on the 2nd to make an allowance to the wives of those soldiers who had been sent to England. On the 3rd information was sent the Commissioners by the President of the Council that the enemy had been defeated and the order for sending troops had been countermanded. A letter of the Commissioners of 17 August was read at a Committee for Irish Affairs on the 5th and order made to recommend to the Council of State that 500 barrels of powder should be immediately sent the Commissioners, that officers on leave of absence in England should be obliged to return to their charges at once, that Parliament should be made acquainted with the dangerous condition of Ireland, that power should be given the Commissioners to arm well-affected persons after the manner of militia, that a sufficient guard of ships should be appointed for the coasts of Ireland, that courts of justice should be erected there and a new seal sent over. The same day order was given by the Commissioners for disarming all Irish in County Wicklow. On the 7th two persons who had been with the rebels at Chester were ordered to be examined and the same day it was referred to

1659. SEPTEMBER—*continued*

Col. Pretty, Major Bennett and others to consider of the removal of Irish Papists from the neighbourhood of Castledermot. On the 9th Ludlow as Lt.-General of the forces was desired to make strict inquiry into the breach of orders forbidding soldiers marrying Irish Papists and to take such steps as were necessary for the discipline of the army. Orders were issued on the 13th forbidding patron days and other superstitious observances leading to drunkenness and debauchery and sequestering the estate of Lord Herbert of Cherbury for taking part in the late rising. On the 15th Lt. Rowleston was authorised to treat with certain Tories for the capture of others. Order was given to Col. Phaire on the 20th to look after the State's woods in County Cork and next day a Committee was appointed to consider the condition of the woods belonging to the State generally. The Commissary of Stores at Limerick was ordered to deliver out arms for the use of the volunteers in that city on the 23rd and on the 24th order was given to suspend the corporation of Fethard on account of the poverty of its inhabitants. On the 30th the Sheriff of County Kilkenny was ordered to take security for four priests going abroad and the Sheriff of County Kerry the same for two priests.

OCTOBER 713-715

On 11 October a petition of the inhabitants of Fethard against the suspension of their charter was dismissed and the former order confirmed. The same day Messrs Corbett, Jones and Thomlinson were constituted a committee to inspect the Revenue. On the 14th Col. Pretty and Major Deane were authorised to treat with certain persons for the destruction of Tories in the counties of Carlow and Kilkenny, and Lt.-Col. Nelson was permitted to do the same for Tories in the King's and Queen's counties. On the 17th Col. John Jones was appointed Commander-in-Chief of the army in Ludlow's absence and the same day commissions were delivered to a number of

lxxviii *Summary of Contents of Documents*

Pages

1659. OCTOBER—*continued*

officers (mentioned by name) by the Commissioners in accordance with an Order of Parliament of 16 July, on their signing the Engagement. On the 29th it was ordered by a General Council of Officers at Whitehall that the New Petition should be transmitted to the officers in Ireland to be signed by as many as were at liberty to do so.

NOVEMBER. 715-717

On 1 November Order was given that an Order concerning wool and other prohibited articles made on 27 September 1658 should be continued in force till 1 March. Capt. Rich was ordered to search ships in the port of Dublin for dangerous persons on the 14th, and the same day order was given that all Irish Papists should be expelled from Limerick. Permission was given on the 16th to press horses and guides for the conveyance of letters, landed at out-of-the-way places, to Dublin, and on the 30th it was ordered that certain books seized at the Custom House should, on the report of Messrs Cook and Fowles, be confiscated.

DECEMBER 717

The collection closes with an order on 9 December forbidding the superstitious observance of Christmas holidays.

CALENDAR OF DOCUMENTS

Continued

275. The Parliament of the Commonwealth of England having, by an Act lately passed, entitled "An Act for the Settling of Ireland," declared that it is not their intention to extirpate this whole nation, but that mercy and pardon for life and estate be extended to all husbandmen, ploughmen, labourers, artificers and others of the inferior sort, in such manner as in and by the said Act is set forth, it is, for the better execution of the said Act, and that timely notice thereof may be given to all persons therein concerned, ordered that the Governors and Commissioners of Revenue, or any two of them in every precinct in this nation, do cause the said Act of Parliament, with this present Declaration, to be published and proclaimed in their respective precincts by beat of drum and sound of trumpet, on some market-day, within ten days after the same shall come unto them, within their several precincts respectively. And whereas all and every the person and persons mentioned in the said Act (that are to have pardon for life and estate for any act done by them in prosecution of the war, and such other benefits and advantages as in the said Act are held forth) are to declare and evidence their submission to the power and authority of the Parliament, and to that end to take and subscribe the Engagement to be true and faithful to the Commonwealth of England, as the same is now established without a King or House of Lords, within such time as the Commander-in-Chief and Commissioners of Parliament shall appoint, it is hereby ordered and declared that the Governors and Commissioners of Revenue, or any two or more of them within their respective precincts, shall and may, and are hereby authorised and required to administer and give the said Engagement within twenty-eight days after publication of the said Act and this present Declaration etc. And it is further ordered and declared that all such persons that are, by the said Act,

declared to be banished during the pleasure of the Parliament, and such others as are, by the said Act, by name declared to be excepted from pardon for life and estate, not being guilty of the murders and massacres in the said Act mentioned and declared, and have been formerly admitted to live in protection and are not exempted from such censure, by virtue of any articles made with them upon their submission, shall have two months' time, from the time of publication hereof as abovesaid within their respective precincts, where such persons do or shall reside, given unto them to transport themselves into foreign parts. 11 Oct. Orders A/82. 42. ff. 368-70.

276. Ordered that no person be allowed to live in creaghts. 11 Oct. *Ib.* f. 402.

277. Ordered that licence be given Colonel Mayo to transport prisoners and priests into Spain. 12 Oct. *Ib.* f. 360.

278. Ordered that Colonel Marcus Trevor do remove 500 Irish out of Ulster to Carlingford for transportation. 14 Oct. *Ib.* f. 363.

279. THE COMMISSIONERS TO THE COMMITTEE FOR IRISH AFFAIRS.

" Since our former to the Council for a provision of oats to be made in England and timely sent hither, for to feed the horse this winter, we find upon a strict inquiry that this country is not possibly able to yield the quantity of oats, which was expected for that purpose from it, and therefore it will be of singular advantage towards the preservation of the horse that 10,000 quarters of oats more than what was formerly writ for, or so much thereof as possibly can be had in England at any reasonable rates,¹ be also provided and shipped away to be landed here by the last of February. To which purpose we desire that you would be pleased to move the Council that orders may be given for the contracting for the same accordingly. All the provisions of that nature that can be had here will but last us until about the middle of December next, in regard whereof it will be requisite [the] 12,500 quarters of oats, formerly written for, be landed in good proportions at the several ports mentioned in our former letter, in that month or very soon after. We find that the scarcity of this sort of grain in this country was occa-

¹ From a former letter (*ib.* f. 296) it appears that while wheat cost in England thirty shillings the quarter, in Ireland it cost three pounds.

sioned by the horses being quartered the last winter for forage upon the country, by which means the people were discouraged to sow oats, believing they should be no more masters of it this year than formerly. But the course now taken, and which we shall also practise hereafter, we hope may remove that impediment for the future." Kilkenny, 14 Oct. Domestic Corresp. A/90. 50. f. 308.

280. SAME TO THE COUNCIL OF STATE.

"Finding your affairs here (through the blessing of God) reduced to some degree of settlement, we look¹ upon it as our duty to proceed to the trial of such murderers, as God by his providence had put into our power; but upon consideration had of those Instructions which we formerly received, we found ourselves not clearly empowered thereunto, and therefore did apply ourselves to the Parliament therein. But finding that obstruction removed by the late Commission sent us from the Parliament, we have erected an High Court of Justice for the trial of such as are guilty of blood, a copy of which Commission we have sent your Lordships here enclosed [wanting]. Divers of the enemy in Ulster have again agreed upon terms for their submission but [we] expect that some of them will fall from their engagement. Above 400 of the droppings of Connaught forces have lately submitted upon terms agreed on by Col. Russell.² Some protected people in Ir-Connaught, being dissatisfied with the qualifications (as they pretend) have lately risen and surprised a small castle or two. They put two files of men to the sword contrary to their engagement (as we hear). Col. Stubbers is marched towards them, and Sir Charles Coote is gone to look after them, and to attempt something on Innisboffin, if he finds it advisable upon the place. He looks upon that enemy in Ir-Connaught as inconsiderable. We humbly pray you to be mindful timely to provide us caddoes and corn. We desire you will hasten over those commissioners,³ whom the Parliament have appointed for the stating of the soldiers' arrears here. Many of your officers are already gone to their charges,

¹ ? looked.

² Col. Robert Russell.

³ The commissioners appointed by the Act for stating the accounts of the army, passed on 25 Aug., were Nicholas Domville, Robt. Jeffreys, Robt. Harding, Rowland Wilson, John Gray, Thos. Dancer, Rowland Oakley and Jas. Standish, with Thos. Herbert as Register, at an annual salary of £500. See Firth and Rait, *Acts and Ordinances*, ii, pp. 603-612.

the rest are hastening away, as soon as the Court of Justice have made some progress in their business, and when they (*sic*) have despatched some things that are upon our hands we intend (God willing) to remove to Dublin, where your commands shall be expected by." Kilkenny, 14 Oct. *Ib.* f. 309-10.

281. SAME TO THE PARLIAMENT.

"Since our coming to this place very many of the officers of your army have given us a meeting, and after some consultations in order to the carrying on your affairs here, the greatest part of them are gone to attend their several charges. There are already gone out of this nation, of such of the Irish as have been in arms, about 7000 of the parties of Fitzpatrick, O'Dwyer, the Lord of Muskerry and Murtoth O'Brien and Fitzgerald; and at this present there is preparation for the carrying over of many others by Sir Walter Dungan, the Lord Westmeath and several other officers of the Irish party. This day we have received intelligence of 400 of the Connaught party, that hitherto have been out in rebellion, are come in, and last week did lay down their arms. But in Ir-Connaught, which is part of the County of Galway and next to Innisboffin, there are some that formerly submitted, have run out again. Sir Charles Coote is gone from us to Connaught to have an eye upon them. The most considerable enemy, that is still out, is the Ulster party. Sir Phelim O'Neill and the most of the officers with him, being guilty of blood and of the first rebellion, do head them and hold them together, and though a considerable part of them did condescend to some articles, yet it is doubtful of their continuance; but Col. Venables on the one side, and the Commissary-General Reynolds on the other are to attend them, and by the help of the Lord, we hope will give account of them.

"In our last unto you we humbly offered to have an Act in order to the trial of the murders done since 1641 by a High Court of Justice; but upon perusal of the powers by our last instructions granted to us, and upon consideration that our gaols in this place and some parts of Munster were full of them, and that delay might be of prejudice, we have granted commission to several persons of integrity and trust, that have this day begun to sit and execute their commission.¹ We cannot but present unto you the waste and sad condition of this country

¹ At Kilkenny. See Prendergast, *Cromwellian Settlement*, p. 287.

and of your poor army here, that must have perished by famine and other miseries, and been wholly unserviceable unto you, had you not made such good supplies and provisions of all necessaries as hitherto you have done. Our endeavours shall not be wanting to lessen your charge and burden, of which we shall hereafter give account, but do again humbly desire the continuance of your provisions for them, until some effectual course may be taken to lessen your charge, and the country rendered more secure than yet it is, and the stock now spoiled in all parts by the wars renewed, and the nation made capable of paying the monthly assessment." Kilkenny, 14 Oct. *Ib.* ff. 312-13.

282. Ordered that licence be given Con McCormac O'Neill¹ to transport 1000 Irish from Drogheda. 16 Oct. Orders A/82. 42. f. 363.

283. Order similar to No. 268 in behalf of the Earl of Westmeath, with licence to raise more men. 19 Oct. *Ib.* f. 342.

284. "The commissioners upon consideration had of the petition presented in the name of the inhabitants of the County of Kilkenny, having taken notice of the profession of the said petitioners of being free from the guilt of massacres, plunderings and murders of the English, of having submitted at first upon the Lord General's Proclamation, and ever since quietly and peaceably subjected themselves to the Parliament's government, with the good affection they show in their petition, the said Commissioners are willing to hold forth all regard answerably, that may discriminate and distinguish the sense they have of the petitioners from others who have been guilty of the aforesaid offences, which discrimination also they shall at all times readily express, according to the several or respective merits of each person, as it shall come before them, wherein it shall be in their power, with respect had to the duty and trusts they owe to the Parliament, to show any favour." 19 Oct. *Ib.* f. 372.

¹ Con McCormac O'Neill was the son of that Sir Cormac (brother of Hugh, Earl of Tyrone) who died about 1616, a prisoner in the Tower. After serving in Spain, Con came to Ireland in 1642 and was made lieut.-general to his uncle, Owen Roe O'Neill; but according to Ludlow (*Memoirs*, i, p. 328) "upon some jealousy or particular discontent he was laid aside." He surrendered with others of the Ulster leaders in Sept. 1652 and was allowed to go abroad. He is said to have married a niece of the Duchess of Artois.

285. Assessments as settled from 1 November for one year following, with the forage payments in money and not as formerly in kind.

Precinct	Monthly Assessment	Monthly Forage
Dublin . . .	£3600	£921 5 0
Kilkenny . . .	1700	467 10 0
Waterford . . .	570	117 15 6
Wexford . . .	750	206 5 0
Limerick . . .	1700	440 0 0
Galway . . .	3200	797 10 0
Belfast . . .	4150	1140 15 0
Belturbet . . .	1350	343 15 0
Clonmel . . .	3150	770 0 0
Cork . . .	3200	880 0 0
Kerry . . .	600	165 0 0
Athlone . . .	900	247 10 0

Total assessment *per mensem*, £24,770 ; total forage, £6497. 5. 6. Grand total, £31,267. 5. 6. 21 Oct. *Ib.* f. 387.

286. At a General Council of Officers it was proposed to the Lieut.-General and Commissioners of Parliament, which they humbly pray may be presented to the Parliament of the Commonwealth of England, viz., It is humbly conceived that there is a necessity of setting out lands forthwith for satisfying the arrears of the soldiers in Ireland, and not to be deferred until the Adventurers' lands be admeasured and set out, for the reasons following :—

1. Owing to the late waste it will lessen the charge of England.

2. If lands are set out for Adventurers, planters or purchasers before the forces are reduced, the said lands must be either first, freed from assessments and the defect supplied from England, or some of the forces will perish for want, or second, such lands should continue liable to assessments, in which case the Adventurers, planters, and purchasers will reap no advantage until the reducement of the forces ; therefore it is to their advantage that lands be set out to the soldiers, so that they may be reduced and satisfied.

3. If the Parliament should ordain that the Adventurers' allotments should be admeasured and set out to them before the forces be settled, it will be a work of so much time as

will necessitate the continuing the charge upon England for maintenance of the forces, at least as high as it is at present, until the work be finished and the forces afterwards settled.

In setting forth of lands in satisfaction of soldiers' arrears, it is humbly offered that it will be most for public advantage and just satisfaction, that (instead of ordering satisfaction in lands at certain years' purchase according to the value in the year 1640 etc.) the same rates by the acre according to the method prescribed in the Act for the Adventurers, with those other advantages which the Adventurers are to have for their satisfaction, may be settled in order to the satisfaction of the soldiers' arrears, for the reasons following:—

1. It will be a work of great time.
2. There is no one to give evidence.
3. The Parliament invited the soldiers on the same terms as the Adventurers. 21 Oct. *Ib.* ff. 391-3.

287. THE COMMISSIONERS TO THE COMMITTEE FOR IRISH AFFAIRS.

“ Since our coming into this nation we have found the State to be much damnified, as likewise trade much discouraged through the obstruction of letters coming out of England to us, and of our returns from hence to London, by reason there hath [been] no provision made for the transportation of packets, but by the way of Dublin, whereby all the south-west parts of this nation have been much interrupted in their weekly correspondence and our public letters much retarded, which being represented to the Commander-in-Chief upon his landing, he gave order to Colonel Lawrence to write to one Mr White of Henland [? Henllan] near Milford, to send over all the packets in his hands, and for the future to employ two packet-boats betwixt Milford and Waterford, for which he is by contract to receive £28. 10. 0 per month. . . .” Kilkenny, 21 October. Domestic Corresp. A/90. 50. f. 315.

288. SAME TO THE PARLIAMENT.

“ Whereas the Parliament, by their Order of 15th August 1652, referred to us to cause a survey to be made of the lands holden by Sir H. Waller by lease from the Earl of Ormond,

and of the yearly value thereof, and to transmit the same to the Parliament, which power in all obedience we were ready to cause to be performed ; but Sir H. Waller did inform us that the lands mentioned in that Order do lie waste and without inhabitants, and without great charge are not likely to yield any profit for many years, and also that there is a very great incumbrance, for very great sums of money, that doth lie on those lands and other lands of the Earl of Ormond, whereto the heirs of the Earl of Middlesex do pretend a title made to them before the Rebellion, and that the survey thereof cannot be done without a great charge. Now, for that the eminent services done by Sir H. Waller in England and his great diligence and fidelity to you in attending the public service in your army here, both in the siege of Limerick and all this summer, was very much in our view, we hold it our duty to present him and the present state of the intended favour of the Parliament towards him." Kilkenney, 23 Oct. *Ib.* f. 316.

289. SAME TO THE COUNCIL OF STATE.

Letter of commendation for Major-General Sir H. Waller, Col. Lawrence and Dr [Philip] Carteret, the Advocate-General, appointed to attend the Parliament and their Lordships in some affairs of concernment to the army and affairs in Ireland. Kilkenney, 23 Oct. *Ib.* f. 317.

290. SAME TO COLONEL SIDNEY.¹

"Having by your favour received a copy of the Act for Adventurers, as it was committed unto your and the rest of the Committee's care to report back to the Parliament, we, having read and perused the same, have presumed upon our knowledge had, and consideration unto the circumstances of affairs here, to offer also to you our sense upon it, and to add certain clauses and provisos to it. The reasons for which we refer ourselves to Sir Hardress Waller and the rest of the gentlemen with him that are gone over, to give you a more full account of,

¹ Algernon Sidney (1622-82). He had some personal experience of Ireland, having served there as a captain of a troop of horse in 1642-3, at the time his father, Robert, Earl of Leicester, held the office of Lord Lieutenant. In 1650 Ludlow suggested him for the post of Commander-in-Chief. See Life in *Dict. Natl. Biog.*

and desire that the same may be tendered to the Committee¹ to present as they shall see cause to the Parliament." Kilkenney, 23 Oct. *Ib.* f. 317.

291. SAME TO THE PARLIAMENT.

"It hath pleased God so to bless your counsels and the endeavours of your forces here, that at present your affairs in Ireland seem to have a great tendency to a peaceable settlement, the enemy in all parts (except a few scattering forces in the fastnesses of Ulster and some in Innisboffin, and some small scattered parties in bogs and mountains, in all other places not appearing anywhere very considerable) having laid down arms, and above 8000 of them being transported beyond seas, we conceived it our duty to advise of all good ways and means, with those that have faithfully served you in that work, how the present and insupportable charge of this war may be lessened. And upon consideration had of the declining condition of this wasted country, while it continues under the present charges laid upon it for the necessary support of your forces, there appeared no way to us for the lessening of your charge from England, or prevent further growth thereof, but by reducing your forces, so far and as fast, as it may consist with the preservation of your interests, and by holding forth competent encouragement for English to come over to inhabit the land, and thereby strengthen your interests here. In order to both which ends the General Officers and Field Officers of your army, resting assured of the Parliament's intention, that those who have endured and overcome many great hazards and difficulties to bring the work to this ripeness, be not discharged of their employments, before some provision be made for their future subsistence, as the Parliament, in their wisdom and out of their accustomed care and tenderness of such as faithfully serve them, shall think fit, have delivered unto us the enclosed paper,² humbly desiring us to present the same to the Parliament; the substance of which paper (so far as we can discern) doth very faithfully lay before you (in a great measure) the wasted condition of the country, the insupportableness of the present assessments, and the obstruc-

¹ This was the Committee appointed on 30th Jan. 1652 to arrange matters with the Adventurers.

² ? No. 286.

tions, which may be met with in a future settlement, if not prevented, which made us the more willing to answer their request in presenting the same unto you ; and to the end that the sense of the said Council of Officers, in the said paper, may the more fully be represented unto you, and the present state and condition of your forces and affairs here laid before you, they have desired leave for Major-General Sir Hardress Waller, Colonel Richard Lawrence, and Dr Carteret, Advocate-General of your army, to wait upon you, whose names having mentioned, we conceive it our duty to do them this right, that they are persons, that with very great faithfulness promote your service in their respective trusts, and whose spirits are very affectionately drawn out to advance godliness, and to preserve union and love amongst all that rejoice in your prosperity. . . .”
Kilkenny, 23 Oct. *Ib.* ff. 318-19.

292. SAME TO THE LORD BROGHILL.

“ We received your Lordship’s letter of the 20th inst., with that enclosed from the Governor of Macroom, and upon consideration had of it, do not judge it at all advisable to furnish the country people with arms ; but shall desire your Lordship forthwith to publish to the country the Act for Settlement, with the Declaration sent with it to your Lordship and the rest of the Commissioners of Revenue, [and] that your Lordship do take such order as that such of the enemy, who continue in rebellion, may, with what forces in those parts you shall think convenient, be vigorously prosecuted.” Kilkenny, 25 Oct. *Ib.* f. 320.

293. SAME TO THE COMMISSIONERS IN ULSTER.

“ Having received several proposals from you by Mr King,¹ wherein you desire satisfaction in order to your better understanding how to manage the affairs committed to your trust, we have herein given you particular resolutions unto them, and accordingly order you to put the said resolutions in practice until you receive further orders from us to the contrary.

“ And to the first, you are to allow every soldier 2s. 6d. in money, and seven pounds of oatmeal or six pounds of biscuit

¹ Mr Ralph King, one of the Commissioners of the Revenue at Derry.

weekly; or for want of the said oatmeal and biscuit eight pounds of bread weekly, and what the said weekly oatmeal, biscuit or bread stands the State in, over and above 9d. weekly, the first penny, adding thereunto the charge of freight-carriage to the stores and to the field and garrisons or any kind of waste, you are to charge it upon the soldiers' arrears, that the same may be discounted accordingly; and if the soldier can provide his own bread and desire rather to have money than bread, you may, in such case, instead of his said weekly provision of bread allow him 9d. per week, if you find it to be for the advantage of the service.

" 2nd. You may (notwithstanding the late Proclamation prohibiting the exportation of cattle etc.) give licence for the exportation of hides, into England only, and butter, tallow, salmon, herrings, and all sorts of fish into England or any other place, having always regard that thereby those commodities be not heightened in their prices, to the prejudice of the soldiers and the poor inhabitants.

" 3rd. All goods exported into England or Scotland must pay excise; only salmon and all other fish excepted.

" 4th. You are not to set the Commonwealth's lands for above one year without special order from us to that purpose.

" 5th. You are to proceed against Popish priests and school-masters according to such directions as you will find in the qualifications.

" 6th. As to the directions formerly given you concerning the Scottish ministers and such as principle the people against the present Government, we can give you no other rules than what we sent you therein, unless there be some proof made against them.

" 7th. You are not to suffer any of the officers of the Scottish nation, that have borne arms against the Parliament, and refuse to subscribe the Engagement, to live within your quarters, and that none be permitted to be of juries but such as are willing to subscribe the Engagement.

" 8th. The persons that have been preyed upon by the Irish are not to be permitted to sue for reparation, before they subscribe the Engagement.

" 9th. Whereas you desire to know whether the protected Irish, that have lived within your passes, these three or four

years past, and paid contribution, should be liable to make restitution for the robberies committed by their kindred in other counties, we must and do refer the determination of such cases to the Commissioners for administration of Justice, to proceed therein according to rules of justice.

“10th. You are to allow all prisoners, that are not able to provide for themselves, three pence *per diem* out of the Treasury.

“11th. You will find, by the late commissions that are sent into the Precinct of Belturbet, that the care of the counties of Cavan, Monaghan, and Fermanagh are put into other hands, and also that the County of Louth is, from the 1st November next, added to the Precinct of Dublin.

“We have not yet leisure to send you the rules for the repairing of British losses nor the law for tickets, with such other laws and declarations, as have been made for the settlement of this dominion; but as God affords us opportunity you may expect resolutions to these things. But conceiving it to be of importance to the settlement of the country, we have sent you enclosed power to unhead the creaghts, wherein we pray your particular care in putting the same in execution, as you shall find most conducive to the service.” Kilkenny, 30 Oct. *Ib.* ff. 326-8.

294. SAME TO COLONEL SIDNEY.

“In answer to your letter of April last, wherein you were pleased to acquaint us with the vote of the House for setting of lands to the value of £1000 per year, out of the Lord Muskerry's estate, upon the Lord Broghill and his heirs for ever and of their committing the same, to bring in an Act accordingly, desiring of us, for the more speedy perfecting and passing the said Act, that we would cause a survey of the true value of the said lands to be made, we accordingly have ordered an exact survey to be taken upon oath, which being now at length returned to us we here present you with it.” Kilkenny, 2 Nov. *Ib.* f. 334.

295. SAME TO THE COMMISSIONERS AT CORK.

“We have received by Lt.-Col. Wheeler a certificate of such persons as some of your number conceive to be fit to be employed in the preaching of the Gospel within your precinct,

and to receive salary for their pains therein out of the public treasury. In the number of which persons we find Mr Royle to be one, of whom we have heard so much in relation to his slight esteem of the Scriptures and Scripture ordinances, that we are altogether unsatisfied with the employing of him, or any of his judgment, in a work so highly importing the honour of God and the comfort of his people, as the preaching of the Gospel is . . . and therefore we expect that such as shall be employed in the work of the ministry should produce ample testimony of their fitness for that service from some congregations in England, who have had experience of their deportment and conversation, and whose duty most properly it is to send out Gospel ministers, or else from others of our friends in England, or Ireland, who are reputed religious and zealous promoters of godliness, before we can signify our approbation of them." Kilkenney, 3 November. *Ib.* f. 336.

296. SAME TO SIR ARTHUR HASELRIG.¹

"Upon perusal of a vote of the Commissioners for relief upon Articles of War of the 7th January last, we find that they have adjudged that such as acted in the war of England, having estates in Ireland, are pardoned for their delinquencies and their estates in Ireland freed by virtue of the Articles of Dublin made with Ormond in 1647,² we desire you and those entrusted on the Commonwealth's behalf with you, to consider that by this vote there is £100,000 at least at one clap. . . ." [Unfinished and undated.] *Ib.* f. 340.

297. Ordered by the Commissioners that payments be made by weight, at the rate of five shillings the ounce. 5 Nov. Orders A/82. 42. f. 421.

298. Ordered by the Same that Sir Gerard Lowther,³ Sir

¹ Sir A. Haselrig or Hasilrige was a member of the Council of State. See *Life in Dict. Natl. Biog.*

² Signed 18 June 1647. By Article 2 (the one evidently alluded to) the Commissioners of Parliament agreed that all Protestants whatsoever in Ireland not having been in the Irish Rebellion, though of late they have submitted to the peace with the rebels, should be secured in their persons, estates and goods that they have in Ireland.

³ Sir Gerard Lowther, youngest son of Sir Richard Lowther of Westmoreland, born 1589, was appointed a Baron of the Exchequer in Ireland in 1628, and in 1634 promoted Chief Justice of the Common Pleas. He was impeached in 1640

Edward Bolton,¹ James Donnellan,² Thos. Dongan, William Basill, the Mayor of Dublin for the time being, Adjutant-Genl. Allen, Quarter-Master-Genl. Vernon, Dr H. Jones, Col. Thos. Herbert, Thos. Richardson, Jas. Standish, Dudley Loftus and John Bisse Esqs. or any one or more of them be authorised to cause a strict inquiry to be made into the murders, massacres and robberies committed on the English. 17 Nov. *Ib.* 443.

299. THE COMMISSIONERS TO COLONEL SADLER.

“Upon consideration had of the situation of the line of protection within the County of Wexford, and of the prejudice that may happen to the public, if liberty be granted to the Irish to reinhabit such places, as are by the said line excluded from protection, by giving relief to the enemy, and thereby encouraging their standing out; and whereas it may be thought advisable and of public advantage hereafter to plant the said waste land now out of protection altogether with English, we, being informed that many families of the Irish are lately come to inhabit there, whereby such Irish as yet stand out will have relief from them, think it necessary to desire that you will be very cautious of giving licence to any Irish to inhabit in places excluded from protection, and that all such Irish, as are come to inhabit in any of the said places contrary to the meaning of the said Declaration, be forthwith removed, except such persons as are or shall be licensed to stay in garrisons for guides, boatmen, or other particular services, which cannot be performed but by

for conspiring to subvert the Parliament and laws of the realm, but the impeachment was abandoned. He presided over the High Court of Justice appointed to try the murders committed by the Irish on the English in the first year of the Rebellion, and in summing up the case against Sir Phelim O'Neill (Hickson, *Massacres*, ii, pp. 183-9) he was guilty of grossly extravagant language. His own integrity was strongly suspected. He died in 1659, after amassing considerable property.

¹ Sir Edward Bolton was the eldest son of Sir Richard Bolton (of a Lancashire family), some time Lord Chancellor of Ireland, who died 1648. After filling the post of Solicitor-General Sir Edward was in 1639 appointed Chief Baron of the Exchequer in succession to his father. In 1651 he was appointed a Commissioner for the Administration of Justice at Dublin; but seems to have died before the Restoration.

² James Donnellan, third son of Nehemiah, Archbishop of Tuam, created a judge of the Common Pleas in 1637, represented Dublin University in Parliament in 1634. After the Restoration he was appointed Chief Justice of the Common Pleas, a member of the Privy Council, and knighted. He died May 1665, leaving a son, Nehemiah, Lord Chief Baron. (*Cf.* Burke's *Landed Gentry*, s.v. Donelan of Sylan.)

such as are natives or inhabitants of the country." Dublin, 17 Nov. Domestic Corresp. A/90. 50. f. 346.

300. SAME TO THE LORD-GENERAL FLEETWOOD.

"We have received your Lordship's letter from Clonmel, and perceiving your Lordship under some apprehensions of the increase of the sickness here, we thought fit to send to the Mayor of the city to be informed what he had learned this week of the abatement or increase of it, since the last bill came out, whose certificate we have here enclosed to you [wanting]; and although, my Lord, we shall in this case be very tender of giving a judgment for your Lordship, yet we cannot but assure you of a very great cheerfulness in our own spirits, and of the like in our families here, notwithstanding the sickness, it being scattered most in the skirts and outparts of the city, and we being here, as in all other places, not without the disposal and protection of the watchful and gracious hand of Providence over us. We much lament your Lordship's absence notwithstanding in all our meetings and consultations about business, finding ourselves at a stand in our proceedings for want of your Lordship being among us.

"We lately received a letter from the Commissary-General, a copy of which to us, as also one to the Lt.-General we here present you, in which perceiving his desire to march and fall suddenly upon the enemy, and that some battering pieces for the more effectual prosecuting the service might be sent him, we, having made inquiry into the stores here, do find no great guns able to march hence for want of carriages, and that there is not any mortar pieces at all here, which we judge would be of singular use for the removal and disturbance of the rebels, in their fortifying or garrisoning of those small islands mentioned, wherefore we humbly advise that your Lordship will please to give order that a mortar-piece, as also a battering-piece may be drawn forth out of the stores at Limerick. . . . We find it necessary to pass two Declarations. The one to restrain the making of oats into malt and consumption of them in the brewing of beer. . . . The other Declaration was an explanation of the late Act against English clipped money, and enabling it to be enforced in payment by weight, at the rate of five shillings the ounce—the copy of which also

we have here enclosed¹ to you. . . ." 18 Nov. *Ib.* ff. 347-8.

301. SAME TO THE LORD BROGHILL, COLONEL PHAIRE AND MAJOR WALLIS.

" Perceiving an extraordinary delay in the officers of the Lord Muskerry's party and their soldiers in preparing for their going beyond sea, and drawing down to the water side, and for their delay they pretend three months' arrears by Articles to be due unto them, we, having a sense of the great burden that the country suffers, to have them lie still in their quarters, and for prevention of any such inconveniences, judge it very needful that all excuses be taken from them, and therefore have thought it convenient, and shall desire that you, or any two of you, do forthwith meet together and send for those officers to understand their demands from them, and endeavour the settling and determining, if possible, that dispute with them; in which, although we are assured nothing can be found for their advantage from the letter of the article, yet, if it may conduce to the removal of all objections and giving all parties satisfaction, we do hereby authorise you, or any two of you, to propound either to give them fourteen days' pay (without any further account) in full of the said three months' arrears, or else to make an offer of three weeks' pay in full of the said three months' arrears, to be delivered them on shipboard; either of which offers, if they shall accept, we shall then desire that you, and the rest of the Commissioners of the Revenue in the respective precincts, do cause the same to be assessed and levied upon the respective counties, where the said arrears ought to be raised, and pay the same accordingly. We shall desire you to take an account of what they have received of the country in preys or otherwise, during the said three months, and what is their claim for the said three months' arrears, and that what shall appear to be due upon the said account (preys and other charges deducted) that the same be assessed and collected according to the Articles, taking in the meantime an especial care that they continue no longer in bodies, and that the former orders of tickets be observed and put in execution concerning them, in the doing of which, if there shall be found any obstruction, that you cannot

¹ No. 297.

remove, we shall desire the same may be certified hither, that the removal thereof may be endeavoured, and that all diligence be used, that an account may be given of it with all speed." 26 Nov. *Ib.* ff. 351-2.

302. SAME TO SIR CHARLES COOTE.

"Receiving some letters wherein we have been acquainted that many families have lately removed out of the County of Donegal, to plant in Connaught, and that you, by a special order, sent with a party of horse thither, did cause the creaghts to come out of the Lagan to your own lands, by reason whereof a great part of that country is laid waste (contrary as we conceive to your promise to us at Kilkenny) and a loss falls upon the contribution, and a disappointment to the forces designed upon that county for their maintenance, we shall therefore desire you to command the return of the said creaghts and families, or that the said families and their stocks, continuing with you, be liable and do pay the same assessments and contributions, which of right they ought to pay in the places from whence they came, had they not removed, over and above what shall fall upon them in the places where they now are, and also from the time of their so removing. We have received a letter likewise from you wherein you are pleased to acquaint us of the Lord Mayo's being in custody for murder, and that the time, allotted by the Articles for his trial, will shortly determine, we shall desire you immediately to despatch away a convoy with him hither, and that there be sent along what information and evidence hath been given against him, as also what witnesses are in the country who are any way able to make good this charge of murder that is laid to him." 29 Nov. *Ib.* f. 355.

303. Ordered by the Commissioners that Richard Toole and Maurice McWilliam, his servant, be allowed to move up and down the country with two fowling-pieces for the destruction of wolves." 1 Dec. Orders A/82. 42. f. 452.

304. THE COMMISSIONERS TO THE PARLIAMENT.

"Our last from Kilkenny gave you an account of your affairs here, and though the late laying down of arms by

most of the enemy and the transportation of a very considerable part of them since have put your affairs into a hopeful condition of settlement in some good measure, yet such is the desperate condition of those persons guilty of blood, and were the principal contrivers and actors of the Rebellion in the beginning thereof, that they leave no means unattempted to disturb your affairs; and such is the inaccessibleness of the places and fastnesses they are got into, that there is no great action likely to be done upon them this winter season, unless they be forced through famine to quit those places, which is the present endeavour of those forces that are appointed to attend their motions.

“ Since our coming hither to this place we have taken into consideration the reducing of such part of your army, as may stand with the safety of your affairs here, wherein we have found great readiness and assistance from your officers and servants that do command in your army; but do find that there cannot be much done therein, to any present considerable advantage, to lessen the charge you now are at, until your pleasure be known, and the Act passed for the satisfying the Adventurers and the arrears due to the soldiers (especially such as are to be reduced).

“ Upon consideration had of the miserable waste condition of this country, and the many straits and difficulties the poor soldiers are put into, through the insolvency of such counties and places appointed for their pay, which do lie waste and without inhabitant, we cannot but present the same unto you, and do most humbly desire the continuance of your former supply unto your army and forces, and we do hope through the blessing of God and the faithful endeavours of your servants you will have a good account of the remaining work to be done here. The posture of your affairs at the present do not afford any action of any moment done of late worthy of your knowledge.” 3 Dec. Domestic Corresp. A/90. 50. f. 357.

305. SAME TO THE COUNCIL OF STATE.

“ The provisions of wheat, oatmeal, and oats, formerly appointed by your Lordships for the maintenance of your forces in Ireland, being not yet arrived, occasions a great consumption of your treasury, in necessitating us to supply those wants at

excessive rates, and, if the coming of those provisions be delayed any longer, there will be here neither money to buy provisions, nor corn to be had for money, the evil consequences whereof we need not mention, and therefore we humbly desire your Lordships' commands that the said supplies may be hastened, and that orders may be given for convoys to secure the said provisions, the want whereof we presume may be one cause of the retarding of that service.

“ The passing of clipped English money current in pay in Ireland, and the uncertain rates that foreign money went at, hath been a very great prejudice to your service here, and tended much to the diminution of the English coin, very great quantities of clipped English money being sent over out of England by merchants and others, for the gain that was to be gotten thereby, insomuch that of late no money was to be received in pay, but clipped English money or outlandish coin. Whereupon (application being made unto us by several merchants and others of your ministers here, for prevention of the further growth of this evil) we were necessitated to publish the enclosed Declaration and Order [wanting¹], foreseeing that the longer we delayed this course the more the service and interest of the Commonwealth would suffer thereby; yet we find that, unless power be given to coin this clipped money here (which is wanting in our Instructions) this evil will again grow upon us (the good English money being carried back into England for want of commodities to barter) and in a short time no current money will be left here, but foreign money, and very much of that either light or coarse Peru. We therefore humbly desire (if your Lordships shall conceive fit) that power may be speedily sent hither for the stamping or coining of £20,000, or such other quantity as you shall judge to be for your service, to the end that the clipped money may be made current, and that some course may be taken by degrees for the calling in or prohibiting the currency of base foreign coin, which at present (being by far the greatest proportion of coin we have) we humbly conceive not advisable to do, it being a matter of tender consideration in relation to the pay and maintenance of your forces. We humbly pray that a signification of your Lordships' pleasure may be speedily sent.

¹ ? No. 297.

"We desire to know what ships your Lordships have appointed for the winter guard on these coasts. . . . Some of the said captains complain that they have been now out, some eighteen months, and some twenty-two months, and that their companies are in exceeding great want of necessaries. . . ."

4 Dec. *Ib.* ff. 359-361.

306. SAME TO THE COUNCIL OF STATE.

"The Lord Clanricarde, upon his submitting to your forces here, did article and make an agreement with your officers, that treated with him, that they should effectually mediate with us for his receiving some satisfaction from the country, in lieu of £2000 appointed to him by assignment (as is said) of the pretended General Assembly of this nation, as likewise for the confirmation of those grants passed by him since the year 1641 unto his niece Mrs Lettice Bourke *alias* Sherley,¹ being in consideration of £2000 received of hers some time before the wars (for her portion), as also certain other grants made to his steward and some other servants of his, since the beginning of the wars, to the value of £321 sterling *per annum*, as they were let before the wars, the granting of which particulars by us, though we humbly conceive not suitable to our Instructions, yet being earnestly pressed by some of your officers, and moved with the information we have received of the great relief and protection he showed to many English in the beginning of the Rebellion, we could not but recommend the consideration of his desires to your Lordships, taking the boldness to enclose with this our letter a copy of the Articles of the Lord Clanricarde's proposals to us, together with a letter of Sir Charles Coote and Commissary-General Reynolds in his behalf sent us, humbly submitting them to your Lordships." 9 Dec. *Ib.* f. 363.

307. SAME TO COLONEL SIDNEY, ONE OF THE COMMITTEE TO CONSIDER THE ACT OF SATISFACTION.

Thank him for the reception given by him to Sir Hardress Waller who had gone to England to discuss certain points in the Act. 9 Dec. *Ib.* f. 366.

¹ Lettice, only daughter of Sir Henry Shirley of Actwell, Northamptonshire, was the wife of William Bourke, afterwards 7th Earl of Clanricarde.

308. SAME TO THE GOVERNOR OF KINSALE.

Acquaint him with the unfortunate capture of the Isle of Aran by a force of 700 men out of Innisboffin in Ir-Connaught, owing to the disobedience of Captains Gething and Busquill in quitting the coast contrary to orders. 9 Dec. *Ib.* f. 366-7.

309. SAME TO COLONEL SADLER.

"We have received an account from you of what you have done, in answer to our desire of putting all inhabitants out of line, according to the intent and meaning of the late Declaration and do much approve of your care therein. . . ." 11 Dec. *Ib.* f. 368.

310. Ordered by the Commissioners that the time for taking the Engagement be extended to 20th January next. 14 Dec. Orders A/82. 42. f. 476.

311. Ordered that Col. Barrow be authorised to proclaim the Act of Parliament for the Settlement of Ireland in all quarters in Ulster, and to accord protection to all such as lay down arms within twenty-eight days afterwards, or, if they desire it, permission to go beyond sea. 14 Dec. *Ib.* f. 481.

312. Ordered that certain parts of Belturbet Precinct be excluded from protection. 15 Dec. *Ib.* f. 477.

313. Ordered that such islands, loughs, and bogs as afford harbour to rebels be excluded from protection. 15 Dec. *Ib.* f. 485.

314. THE COMMISSIONERS TO THE COMMISSIONERS AT BELFAST.

"We, having lately had a return from the Commissioners for administration of Justice, to whom all those papers and examinations you sent up, about the persons suspected of coining, were referred to be perused and considered, do think fit and shall desire that, forasmuch as there seems to be a manifest intention in that Bromfield and his companions to coin, though no act be proved against them, to make that intention capital, yet that all those instruments (in your custody), which they had

provided for that purpose, may be broken, and that the men be kept in prison until they shall find sufficient security for their good behaviour, or some course taken for their banishment." 15 Dec. Domestic Corresp. A/90. 50. f. 370.

315. Ordered that Messrs Winter, Patience,¹ Murcott,² Partridge,³ Wootton, Chambers and Wilkinson, ministers of the Gospel, do forthwith meet together and seriously advise and consider what course is best to be taken for the effectual preaching of the Gospel in Ireland, and what persons they know fitly qualified to be sent out for that work and purpose, as well into the Irish as into the English quarters, and to certify the same with all convenient speed to the Commissioners of Parliament. 16 Dec. Orders A/82. 42. f. 488.

316. THE COMMISSIONERS TO COMMISSARY-GENERAL REYNOLDS.

"According to our resolutions before your departure we have caused a commission for a High Court of Justice to be drawn for the trial of the Lord Mayo,⁴ which we have sent here enclosed and expedited away, the sooner in regard the time limited by Articles for his trial is well-nigh effluxt. The powers hereby given are the same given to the Court at Kilkenny, which we desire you and the rest of the gentlemen to put in execution. We have not yet prescribed any certain day for your sitting; but have left a blank to be filled up according to your discretion, so as the same be supplied in this month. We have likewise sent you a power for giving the oath in the commission mentioned, to such of the said commissioners as shall be present,

¹ Thomas Patience or Patient was for some time a minister in "New England," but being compelled to leave the country on account of his Anabaptist tenets he returned to England in 1644-5. In 1649 he was appointed one of the "six able ministers" sent by Parliament to preach the Gospel in Ireland, and in 1651 he became pastor of a Baptist congregation in Dublin and chaplain to John Jones, one of the Commissioners of Parliament. He returned to England at the Restoration, but died of the plague in 1666. See Life in *Dict. Natl. Biog.*

² John Murcott, for some time minister at West Kirby in Cheshire, came to Ireland with his family in 1651 at the invitation of Sir Robt. King. After acting as teacher to Dr Winter's congregation at St Michan's, he became pastor of St Andrew's; but died in 1654. See Life in *Dict. Natl. Biog.*

³ Nathaniel Partridge was an army chaplain. Henry Wootton, Robert Chambers and Thomas Wilkinson were Dublin ministers.

⁴ Note, p. 198.

before their sitting in Court. . . ." 17 Dec. Domestic Corresp. A/90. 50. f. 372.

317. SAME TO THE COUNCIL OF STATE.

"Since our last we have received intelligence of a sudden surprisal that hath been made by the enemy upon a garrison of yours in the Isle of Aran, lying at the mouth of the Bay of Galway, and near the two fastnesses of Ir-Connaught and Innisboffin, from whence the enemy landing (as we are informed) 600¹ men, and with the assistance of the inhabitants of that island, they have possessed themselves of it. In the attempt of which also, the enemy had advantage from the weakness of the works, which were not altogether finished ; but principally by reason of the want of shipping and vessels in that harbour, either to relieve the garrison or to make an assault upon the enemy at their landing. The ships appointed to attend that place, and which had directions not to depart that harbour until the works were finished, contrary to their orders leaving it, and putting out to sea, in whose absence this attempt was made by the enemy. Upon consideration of the consequence of which place, and of the import of it to your interest here, and how difficult it may be to reduce the same hereafter, when the enemy, by the assistance of those forces from Innisboffin and elsewhere, shall have finished the fortifications that are already begun, by advice of a Council of Officers here, orders are given for the drawing forth a commanded party of 1500 men, and for the fitting all other provisions and necessaries for the reducing of it, which because it is not to be effected without a sufficient number of shipping, as well to land our men and provisions and to secure the harbour, as to prevent any new approach of the enemy, it was further judged necessary immediately to despatch away a letter to Kinsale, for the going about of three or four good ships from thence to Galway, with such a quantity of victuals and provisions from Kinsale, as might enable them for some time to attend that service, there being no provisions of that kind to be had at Galway and those parts. . . ." 20 Dec. *Ib.* ff. 372-4.

318. Ordered that measures be taken for the destruction of

¹ Cf. No. 308.

wolves in the barony of Castleknock [co. Dublin]. 20 Dec. Orders A/82. 42. f. 492.

319. THE COMMISSIONERS TO COMMISSARY-GENERAL REYNOLDS AND COLONEL BARROW, OR EITHER OF THEM.

“ Since our going from hence we have received the two enclosed [wanting] from Lt.-Col. Brady and Evax [Ever] Magennis,¹ being delivered unto us by Lt.-General Farrell ; but because we know not how advantageous it may be to our affairs to admit a treaty with them, or either of them, or whether it be not more advisable to insist rather upon their submission by a day, without other capitulations than those conditions you have already power to grant, we have thought good to transmit them to you, desiring you to proceed in this business as it shall please the Lord to direct you by the circumstances that shall appear to you upon the place, and either to take them in, according to the powers and liberty to that end granted you in your last Instructions, and to grant them such and so many of the articles mentioned in the papers, as you shall judge most agreeable to the justice and honour of the Commonwealth, having a regard so much to the cherishing of the peace of the country, that those who stand out longest, or have been received into protection, [and] have taken up arms again be not allowed (unless some especial necessity for the service enforce it) the like terms as those who submitted more timely.” 23 Dec. Domestic Corresp. A/90. 50. f. 377.

320. SAME TO THE COMMANDERS OF PRECINCTS,² WITH THE REST OF OUR CHRISTIAN FRIENDS THERE.

“ Christian Friends, Those unto whom the Lord hath in any measure (through grace) made known his free, eternal and unchangeable love, cannot but be sensible how he hath of late manifested some displeasure against us, by continuing the pestilence in very many of our quarters and garrisons, and stirring a vanquished and dispersed enemy to an unusual resolution of attempting the surprisal of the fort and Isle of

¹ Probably Ever Magennis, of Castlewelan, co. Down. He was excepted from pardon for life and estate by the Act of 12 Aug. 1652 for the Settling of Ireland. He married Lady Eleanor MacDonnell.

² Cols. Hewson, Pretty, Axtell, Sankey, Sadler, Foulke, Barrow, Ingoldsby, Stubbers, Hill, Major Smith, Lt.-Col. Brayfield, Col. Phaire and Lt.-Col. Nelson.

Aran, and therein to prevail not by strength, but by reason of a strange spirit of despondency, which possessed him that commanded that place, far unsuitable to his accustomed temper, in the judgment of those that knew him.¹ Upon serious consideration of these sad reproofs, we conceive it a duty incumbent upon us to mind those that fear the Lord in this land to be frequent in prayer, and earnest with him to reveal his will unto his servants, what those failings in them are, which he so sharply witnesseth against, and that the Lord would renew unto his people a spirit of prayer and supplication, a spirit of prevailing with the Lord and of dependence upon him, that we may be delivered from a spirit of compliance with the enemies of God, and that our hearts may not be captivated in the snares which they spread for us, lest the anger of the Lord kindle against us (Numbers xxv, 3) ; that we, who in great mercy are hitherto spared, may cleave unto the Lord and keep his statutes and judgments, this being the wisdom and strength of God's people in the sight of the nations (Deut. iv, 4, 5, etc.) ; that the Lord may not give us over to a spirit of slothfulness and security in the management of the trust reposed in us, and that we may take heed to ourselves and keep our souls diligently lest we forget the outgoings of the Lord with us in England, Scotland and Ireland—those great things which our eyes have seen God do for his people—and lest they should depart from our hearts (Deut. iv, 9). Deadness of spirit, worldly mindedness, forgetfulness of what the Lord hath done for us in the day of our affliction, and attributing much to the arms of flesh and wisdom of man are sins that easily beset the saints and servants of God in the time of their prosperity, when their enemies are scattered and the powers of the earth laid low before them ; and may-be those [are the] failings, for which our merciful Father holdeth his rods of correction over us, and therefore, the better to stir up our hearts to this duty, we have thought convenient to recommend the 30th day of this month to be observed in the duties and exercise of fasting, humiliation and prayers before the Lord, for the reasons and ends aforesaid. . . .” 23 Dec. *Ib.* ff. 378-9.

321. SAME TO SIR C. COOTE AND COLONEL STUBBERS.

“ The Lord of Mayo, being brought hither in order to his trial,

¹ The officer in command was Capt. Dyas.

doth claim, by virtue of the Articles made with him, to be tried in the Province of Connaught, and upon consideration thereof, it being thought fit that he receive his trial there, we do send him to you, with such informations and evidences as were sent to us, all which we leave to you and the rest of the Court of Justice formerly commissioned in order to his trial, and desire that proceedings be forthwith had against him according to justice." 24 Dec. *Ib.* f. 374.

322. SAME TO THE LORD BROGHILL.

" Upon perusal of both yours to us, we very much approve of what your Lordship, Col. Phaire and Major Wallis have done in your agreement with Muskerry's officers, and promoting that business to so good a forwardness for transporting those Irish ; for the further quickening of which we shall desire, and do hereby empower and authorise you, Col. Phaire and the rest of the Committee of the Revenue or any three or more of them, to press or take up what ships you shall find fit for that service in the harbours of Cork, Youghal or Kinsale, and to agree with them for their transportation, or in case of not-agreement to allow them the usual rates. . . ." 24 Dec. *Ib.* ff. 381-2.

323. SAME TO COLONEL PHAIRE.

" Taking into consideration how, in those inquiries we have made into the innocent blood of the English and other Protestants that hath been shed in this land, the Lord hath evidently appeared in discovering and finding out the authors of those murders, that so they may be brought to condign punishment, we dare not draw upon our heads the guilt of delaying the executing that justice, and therefore, lest you might be inclinable to respite (beyond the time limited) the sentence of the High Court of Justice, by which those persons committed to your custody stand condemned to die, we hold it our duty to declare our sense herein, which is that you do forthwith perform that duty that lies on you and which is accordingly expected." 25 Dec. *Ib.* f. 383.

324. SAME TO COLONEL INGOLDSBY.

" . . . We can answer your request to us in what you move us for transporting 1500 Irish yourself, which if you think good

to undertake without burdening and molesting of that country, to the disabling of them to pay their contribution, and without pressing of any who shall not go willingly (this being as much as is granted to Lt.-Col. Nelson¹) we shall consent unto it, they being such as are not guilty of murders or massacres done or committed upon the English; but other allowance or liberty hath not been granted unto any." 28 Dec. *Ib.* f. 387-8.

325. SAME TO THE SPEAKER OF PARLIAMENT.

"Having received it in our Instructions to put in execution all laws in force against the clipping, counterfeiting and debasing of coin and to cause proclamation to be made for suppressing it, we caused diligent inquiry to be made after persons that were guilty of it; but although some were apprehended, and some of them executed for it, yet we found not this course, nor any other discernible to us, sufficient to remedy it. . . . We see not how to apply a suitable remedy to these mischiefs unless a mint were for some time here erected. . . ." 29 Dec. *Ib.* ff. 388-9.

326. Ordered that Cols. Hewson and Sankey, Alderman Daniel Hutchinson, Mayor of Dublin and others be constituted a Committee for the encouragement of tillage and settling of lands upon such as have served the Parliament. 4 Jan. 1653. Orders A/82. 42. f. 516.

327. Ordered that Edward Axford, shoemaker, Dublin, be banished for bigamy. 12 Jan. *Ib.* f. 538.

328. THE COMMISSIONERS TO THE COMMISSIONERS OF REVENUE AT WATERFORD.

" . . . The enclosed Declaration² will sufficiently instruct you in our intentions about the friars you have imprisoned, who,

¹ Col. John Nelson was at the time Commander-in-Chief in Kerry and Desmond. From an order, July 1658, on a petition presented by him it appears that his undertaking to transport 1000 Irishmen into Spain cost him at least £2700. The order was to make good his loss by a grant of lands out of the estates of delinquent Protestants. At the Restoration he was deprived of his estate of Clongawny on the ground of his having assisted at the execution of Charles I, and, together with Sir H. Waller and Col. Isaac Ewer, of having opposed the Restoration. Nelson died before Feb. 1666.

² Wanting, but probably that of 6 Jan. for the expulsion of priests and Jesuits. The Declaration is not in the Order Book.

with all other friars and priests, are within twenty days after publication of the same (if wind and weather serve) to be sent out of the land and banished. . . ." 15 Jan. Domestic Corresp. A/90. 50. ff. 395-7.

329. SAME TO THE COUNCIL OF STATE.

"We have not much to trouble your Lordships with at present, but hope (if the Lord please to bless the endeavours of your servants) that a good account will be given your Lordships of the Isles of Aran and Boffin. Thirteen hundred foot, with a battering piece and other accommodations were shipped about six days since in the bay of Galway, for the reducing of Aran, and 600 foot more are marching by land to Ir-Connaught, to be carried thence to Aran, to strengthen that party if need be. They are victualled for a month, and more provisions are going up to them in order to their going on to Boffin, if the Lord give them success in their attempt upon Aran.

"There are gone from Ireland to the service of the King of Spain, since April last, about 13,000, and most of those, who have been in arms against you, would be persuaded to follow, if any persons of ability and credit were employed to give them conditions and carry them away. Col. Plunkett,¹ having contracted for the carrying over of many, and having sent some away, others on shipboard, and many upon their march to the water-side, died last week (some conceive of grief because he had neither money nor credit to make good his contract) which will occasion the disbanding of many desperate rogues, who know not how to live but by robbing and stealing out of bogs and fastnesses. We have, upon long and serious consideration, judged it very necessary, in order to your service, to publish the enclosed Declaration² [wanting] as one effectual means to settle your Interest. If there be any inconvenience in the thing we do not see, we humbly desire we may have notice of it. The High Court of Justice goes on in making inquisition after, and in diligent

¹ Col. James Plunkett was a younger son of Lucas Lord Killeen, created Earl of Fingal 1628, and brother of Christopher, 2nd Earl, who played an important part in the Rebellion and was taken prisoner at the battle of Rathmines, dying shortly afterwards.

² ? that for the expulsion of priests and Jesuits.

prosecution of murders.¹ There were sixteen condemned at Kilkenny, six at Clonmel, and thirty-two at Cork, most of them very considerable men, and at this time the Court sits at Dublin, and another erected at Galway to try the Lord Mayo, who was, by his Articles, to be tried there. The Lord hath pleased to own this course very much, in bringing out evidence very strangely and unexpectedly against some of the persons that were condemned. . . ." 15 Jan. *Ib.* ff. 397-8.

330. SAME TO SIR HARDRESS WALLER.

" . . . The Irish are not yet out of hopes of succour from Lorraine and other foreign princes, but the Lord, who hath hitherto disappointed them will, we hope, continue so to do. If he give us hearts to wait upon him he will renew our strength. . . ." 15 Jan. *Ib.* ff. 398-9.

331. SAME TO THE PARLIAMENT.

" By our last we gave you an account in general of the posture of your forces, in order to attend the motions of the enemy, who though they be for the most part in a very great measure reduced, yet many of them do this winter lie in islands, bogs and fastnesses, and are ready and watchful to take all advantages; but in several parts your officers and soldiers have met with small parties of them, and have done some considerable execution against them. But the enemy in the Isles of Aran² and

¹ For the Records of the High Court of Justice see Hickson's *Irish Massacres*, ii, pp. 171-235.

² The three islands of Inishmore, Inishmaan and Inisheer, known collectively as the Aran Islands, capitulated on 15 Jan. 1653.

Articles of agreement concluded and agreed upon the day and year above written between Major James Harrison and Capt. Wm. Draper, Commissioners appointed on the behalf of the Rt. Hon. Commissary-General Reynolds, commanding in chief the Parliament's forces in the Isles of Aran on the one part, and Capt. John Blackwell and Capt. Brian Kelly, Commissioners appointed by and on the behalf of Col. Oliver Synnott, Commander of the fort Arkyn on the other part, for and touching the surrender of the said fort, arms, ammunition, provision-boats, shallops, and all other utensils of war to the said Commissary-General, or whom he shall appoint, for the service and interest of the Commonwealth of England.

1. It is concluded and agreed by the Commissioners aforesaid, that all the officers and soldiers both belonging to sea and land shall have quarters, as also all other the clergymen and all other persons within the fort.

2. It is concluded and agreed upon by the Commissioners aforesaid that they shall have six weeks' liberty for their transportation into Spain, or any other place in amity with the State of England; and that sufficient hostages be given by Col. Synnott, Commander of the fort of Arkyn, for the civil and orderly de-

Innisboffin, being likely to grow more considerable, and, if let alone this winter, might not only give encouragement to any design of a foreign enemy, but also relieve with arms and ammunition the rest of that party now in bogs and fastnesses, and give intelligence and countenance unto the enemy now in the bogs and islands, giving out with confidence their great hopes of relief and succour from them, and from foreign princes and states, and especially from Lorraine, whereupon, by advice at a Council of War, it was held necessary to send a commanded party forthwith, from the garrisons and places where they might be best spared, in order to reduce those islands this winter season ; and in pursuance thereof Commissary-General Reynolds was despatched to command that party, and those few ships that are now left in these seas are ordered to attend about those islands, and to ship the forces and provisions and give other assistance, as occasion shall be offered. By our last from Commissary-General Reynolds of the 11th inst., from aboard the *Sun* in Galway Bay, he signified that the guns and provisions were shipped and the wind fair, and that they were ready for sail to

portment of the officers and soldiers in all places where they shall come, during the time limited them before their transportation, and for the punctual performance of all particulars concluded of in these Articles.

3. It is concluded and agreed upon by the Commissioners aforesaid that Col. Oliver Synnott shall deliver up the fort Arkyn, with all the arms, ammunition, guns, provision-boats, shallops and all other necessities of war, as also that none of the store of provisions or ammunition be spoiled or embezzled, but all to be delivered to the Hon. Commissary-General Reynolds, or whom he shall appoint to receive it, in good order and condition by the hour of three of the clock this inst. 15 day of Jan. 1652[-3], before which time both officers and soldiers, belonging to Col. Synnott in the fort of Arkyn, shall march with drums beating to the Church near Arkyn fort, and there lay them down. It is further agreed that Col. Synnott with all the captains, eight in number, shall have liberty to carry their swords, and all the other officers and soldiers to lay down their arms.

4. It is further concluded and agreed upon by the Commissioners aforesaid that the Hon. Commissary-General Reynolds shall nominate four officers belonging to Col. Synnott in the fort of Arkyn hostages, who shall immediately, upon concluding of the Articles, be sent forth unto the said Commissary-General.

5. It is concluded and agreed upon by the Commissioners aforesaid that Col. Oliver Synnott, with the rest of the officers and soldiers, and all other persons in the fort Arkyn, shall, upon delivering their hostages, and laying down their arms, be protected from the violence of the soldiers, and with the first conveniency be sent to the County of Galway, and there to remain in quarters for six weeks, in which time they are to be transported as aforesaid ; provided that no person whatsoever belonging to the fort Arkyn, and found guilty of murder, be included or comprised in these, as to have any benefit thereby.

And for the due and punctual performance of all and every the above mentioned Articles we, the aforesaid Commissioners on the behalf of the Hon. Commissary-General Reynolds have hereunto set our hands and seals Jan. 15, 1652[-3]. James Harrison, Wm. Draper. I do approve and confirm the above Articles, J. Reynolds. Articles of Capitulation, ff. 83-4.

their intended design, and that the soldiers with him, notwithstanding their long and hard march, were very cheerful and hearty in this service.

The two great businesses which now lie before us are how to lessen your charge and how to plant the country ; but neither of these can be done to any effect, till we do hear your pleasure about the Bill before you, for giving satisfaction to the Adventurers and also to satisfy the arrears of the soldiers. Since the late treaties with the enemy, we did hold it our duty to take the most effectual course we could, to bring (*sic*) such as had a hand in the murders and to bring them to a due trial, and to that end appointed a Court of Justice to sit at Kilkenny, Clonmel and Cork. In those places there have been fifty-three persons (many of them very considerable persons and heads of their septs) condemned for the massacres done by them in the beginning of this Rebellion ; and now the High Court doth sit at Dublin, where there is yet only preparation for their future proceedings ; and there hath gone out of this nation since June last above 12,000 officers and soldiers of the Irish party, all of them stout and able fighting men, and more are willing and ready to go had we means to effect the same." 15 Jan. *Ib.* f. 400.

332. SAME TO THE SPEAKER.

" Upon very credible information given to us by sundry persons on the behalf of the Countess of Ormond,¹ concerning the great relief and protection many Protestants, both ministers and other good people in this nation, received from her in the beginning of the Rebellion in Ireland, and having since committed the inquiry and examination thereof to several persons of integrity and fidelity, who (having taken several depositions

¹ Elizabeth Preston, sole daughter and heiress of Richard, Earl of Desmond, and Elizabeth, daughter of Thomas, tenth Earl of Ormond, married her cousin James, Earl and afterwards Duke of Ormond, in 1629. She was then barely fifteen, and her husband only twenty years of age. In 1647, when Ormond, after delivering Dublin up to the Parliamentary Commissioners, left Ireland, she went abroad with him, and remained at Caen during his absence in Ireland in 1648-1650. Being joined by him there she accompanied him to Paris, but owing to the financial straits in which they shortly found themselves, she repaired to England in 1652 to claim the fulfilment of a promise of assistance made her by Cromwell. Her efforts were so far successful that in March 1653 the Commissioners of Parliament were able to write to the Commissioners of Revenue at Kilkenny, authorising them to assign Dunmore House and £2000 *per annum* in land to her and her heirs. Domestic Corresp. A/90. 50. f. 468.

upon oath of persons that were eye-witnesses of the same) did return an abstract thereof (which is herewith enclosed) [wanting], as also the depositions themselves. By all which it will appear, how that the lives of many were by her preserved from the violent hands of the then prevailing bloody rebels, and many poor English and other Protestants flying unto her for relief and comfort, she did then at a very great charge both clothe them that came naked and stript, and fed such as otherwise must have starved and perished for hunger, and also caused a good guard to be provided for them, till they were conveyed to some safe port, where shipping and necessaries were provided for their transportation into England. And further we are informed that she did bear testimony (as far as one in her relation could) against the sinful compliance with the enemy, which she observed in her husband, and withal we have been very credibly informed that she, being the heir general to the last deceased Earl of Ormond, had thereby descended to her a great part of the estate enjoyed by her said husband. Now, though the crimes and offences done by her husband are such as justly deserve the confiscation and forfeiture you have imposed on him, yet, upon the consideration of the premisses, we hold it our duty to present the same unto you, not knowing but God may so incline your hearts that as some have justly tasted of your justice for their offences, so this now poor and distressed lady may taste of the pity and charity from you, which she did in the day of trouble show to your friends that then were also poor and distressed. All which we do humbly offer to your consideration and shall only add that your pleasure herein signified to us shall be duly observed." 18 Jan. *Ib.* ff. 401-2.

333. Ordered that the time for taking the Engagement be extended till 20th February next, because many are willing to take it, who have hitherto been unable to do so. 21 Jan. Orders A/82. 42. f. 555.

334. THE COMMISSIONERS TO MR STANDISH.

"Whereas by your letter of the 22nd December, and the desire of Lt.-General Farrell, we appointed £316. 6. 6 to be paid by you, or your Deputy at Waterford, to the said Lt.-General's men on shipboard, in full of three weeks' pay remaining due to them by

Articles, as is more at large in the said letter [set forth], the said £316. 6. 6 to be abated again from the next supplies appointed for the Precinct of Athlone, upon the application of Lt.-General Farrell now to us, and acquainting us that he hath not received any part of the said £316. 6. 6 from you at Waterford, notwithstanding his mission¹ of some men, and that he hath agreed for shipping away 600 men more here at the port of Dublin, desiring therefore to receive the said £316. 6. 6 here, we do accordingly desire you that the money, not yet being paid by you or your Deputy to any, that you will give order for the payment of it here, to be reimbursed you again according to the directions given as aforesaid." 25 Jan. Domestic Corresp. A/90. 50. *Ib.* ff. 405-6.

335. SAME TO THE COMMISSIONERS OF THE RESPECTIVE PRECINCTS.

"Upon serious consideration of the inconvenience of permitting the Irish to live in creaghts, after a loose and disorderly manner, whereby the enemy comes to be relieved and sustained, and the contribution oft damaged, we issued out an Order of October 11th for the fixing such persons upon lands proportionable to their respective stock, and enjoining them to betake themselves to tillage and husbandry, and, in case of refusal, to seize upon the cattle and stock of such persons, and, appraising them upon oath, to expose them to sale for the best advantage of the Commonwealth. Of all which, having received no account since from you, and doubting some slackness in the performance of the said Order, we shall desire you speedily to inform us of your proceedings herein, and how far you have gone in executing of it, and that also, in the fixing of all such creaghts, you be very careful that the persons be disposed of in such places, as may be at most distance from their relations and friends, to the end all relief may the better be debarred from the enemy. We shall desire further to hear from you what is done in the Proclamation for putting all islands, loughs and bogs out of protection lately sent to you." 25 Jan. *Ib.* f. 414.

336. Permission for Mr Andrew White² to transport 2000 Irish

¹ *I.e.* transportation.

² Merchant of Limerick, brother of Don Ricardo. See p. 240, note.

foot soldiers to Bilbao San Sebastian, or any other port in Spain.
27 Jan. Orders A/82. 42. f. 581.

337. Ordered that certain priests desiring to quit the country be allowed to do so. [Undated.] *Ib.* f. 585.

338. Ordered that the Commissioners of Revenue may set out waste lands to officers and soldiers of every respective garrison, for a period not exceeding five years, on condition that they will cultivate them. 3 Feb. *Ib.* f. 601.

339. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"It hath pleased God to deliver into your hands the ringleader in the late bloody massacres and rebellions, Sir Phelim O'Neill.¹ He is now at Charlemont, and is ordered to be brought up to Dublin to be tried at the High Court of Justice, now sitting. We are in daily expectation of news from Innisboffin, the wind having been of late very fair for that expedition." 4 Feb. Domestic Corresp. A/90. 50. f. 418.

340. SAME TO THE COMMITTEE FOR IRISH AFFAIRS.

"... We took the boldness formerly to write to you about the necessity of a mint to be set up for some time here, which undertaking hath, by your assistance, been brought to so good an issue as that the great bar now is the charge of it, and difficulty of sending materials and men fit to undertake it. We shall crave leave therefore, to acquaint you that a mint was here formerly employed for coining of money, and furnaces, places and rooms appointed for it within the castle. For the repairing of which rooms and refurnishing of all such tools and instruments as are wanting £100 only is required, and several persons are already here, whom we judge fit and sufficient to be employed in it, and do hope, if the management therefore of it be committed to the persons upon the place, a good account will be given of it, and that without great expense to the public Treasury." 4 Feb. *Ib.* ff. 419-21.

¹ As to the manner of his capture see Ludlow, *Memoirs*, i, p. 343.

341. SAME TO THE COUNCIL OF STATE.

“Apprehending it for your service here to transport beyond sea as many of the Irish as we could find a conveniency for, especially such as were like to disturb the peace of this country, and presuming it to be agreeable to your Lordships’ sense to encourage those that should undertake the same, especially officers and others here of the English nation, we have therefore taken the boldness to present their case to you, who allege that, notwithstanding they have performed the contracts on their parts in shipping away and delivering into Spain several thousand men, yet have not received answerably the performance of the contract with them on the part of the King of Spain, which because it depends chiefly upon his ministers or ambassador in England, to whom it is alleged that the full money due to them is remitted by Bills of Exchange by the order of the said King, they have therefore earnestly moved us to recommend their humble petition to your Lordships for a redress on their behalf therein. . . .” 4 Feb. *Ib.* f. 421.

342. SAME TO THE COMMISSIONERS OF REVENUE AT TRIM AND THE GOVERNOR AT DUNDALK.

“Receiving advertisement from the Commissioners at Belfast of several persons that are there seized and imprisoned as guilty of the bloody murders and massacres of the English, we have judged it necessary in order to their speedy trial to constitute an High Court of Justice, which conceiving it most expedient, both for the general ease of the country and for the convenient bringing together of such witnesses as are requisite, that they should sit at Dundalk, where also they are appointed to meet very sudden. . . .” 10 Feb. *Ib.* f. 422.

343. Ordered that Commissary-General Reynolds be authorised to allow a reward to any person who shall bring in the person or head of any rebel now in arms against the Commonwealth. 11 Feb. Orders A/82. 42. f. 615.

344. THE COMMISSIONERS TO THE PARLIAMENT.

“In pursuance of the directions by two several Orders of Parliament, the one bearing date 17th August 1649 and the

other 5th December 1650, for the settling of £500 *per annum* upon Sir Charles Coote and his heirs, we did set out lands for that value of the rebels' lands in Ireland, upon a survey upon oath thereof taken according to the values they held in the year 1640, and have put Sir Charles Coote in the possession thereof, reserving a yearly rent of £47. 13. 4 to the Commonwealth thereout, as by a duplicate herewith sent will more largely appear, which with our proceedings we humbly leave to your further consideration and settlement." 17 Feb. Domestic Corresp. A/90. 50. *Ib.* f. 428.

345. SAME TO COLONEL PHAIRE.

"Receiving intelligence of the return of the Lord Muskerry and Colonel Callahan¹ into this country, and of their declining their former intentions for the transporting of men, we have thought it fit, and shall desire you immediately to send both of them up with a safe convoy to Dublin, that so we may understand something more fully from themselves of their present resolutions; in the doing whereof we shall desire that all civil respects may be given them." 19 Feb. *Ib.* f. 432.

346. Whereas the Commissioners of Parliament have received several petitions for the suspending of a Declaration, bearing date 6th January last, enjoining all Jesuits, seminary priests, and other priests in Popish orders to depart out of this nation by the time therein limited . . . the Commissioners, conceiving the said Declaration so weighty and pressing and the publishing thereof so necessary, in order to the settlement of the peace of this nation, hold it inconsistent with the trust reposed in them to suspend its execution and expect all officers and ministers of justice to strictly enforce it. 19 Feb. Orders A/82. 42. f. 635.

347. THE COMMISSIONERS TO COMMISSARY-GENERAL REYNOLDS.

"We received yours of the 18th inst. from Innisboffin with a

¹ Col. Callaghan O'Callaghan of Castlemacauliffe was one of the Commissioners who had arranged for the surrender of Ross Castle, 28 June 1652. He was also one of the Trustees of Government appointed by the Confederation to co-operate with Ormond after the peace of 1649.

copy of the Articles¹ lately concluded there between you and the governor of the place, by which we perceive you are obliged to transport within twenty-one days 1000 men. Upon consideration whereof, and for your securer proceedings therein, we hold

¹ Articles of agreement between Lt.-Col. Henry Flower, Capt. Edward Landon, Adj.-Capt. Martin Jubbs and Capt. Wm. Wade by authority from Commissary-General Reynolds on the behalf of the Commonwealth on the one part, and Col. Richard Bourke, Col. Wm. Jordan, Lt.-Col. Dudley Costello and Capt. Geo. Cruse on the behalf of themselves and Col. George Cusack, Governor of Innisboffin, on the other part, for the surrender of the Island of Innisboffin and other adjacent islands, concluded on Feby. 14th, 1652[-3].

1. That Col. George Cusack do deliver unto Commissary-General Reynolds, or whom he shall appoint, the Island of Innisboffin, castle, forts, arms, ammunition, ordnance, public stores and other utensils of war within the said islands, without any manner of spoil or embezzlement for the use of the Parliament of the Commonwealth of England by Thursday next, being 17th inst. at ten of the clock in the forenoon.

2. That all officers and soldiers under the command of Col. George Cusack and Lt.-Col. Dudley Costello, within the island of Clare and Innisurk, shall there deliver up within six days after the date hereof, all their arms, ammunition, public stores and all other utensils of war to Commissary-General Reynolds, or whom he shall appoint, and that the said island shall be left to themselves and the rest of the regiment, in order to their transportation until they be shipped, they giving Capt. Maly as hostage for the delivery of the same, and that all others of the same regiment, now out of the aforementioned islands, which are to repair thither, shall, within 2 days after being there, deliver their arms in the said island to the Commissary-General, or whom he shall appoint to receive them.

3. That in consideration of the premisses, all officers and soldiers and all others included in these Articles shall have quarter for life, and an act of indemnity for anything done by them from the first day of the war to the date hereof, murder excepted, of which those who are guilty are not to be comprehended in these Articles, or receive any benefit thereby.

4. That Col. George Cusack and all officers and soldiers of what quality soever shall enjoy what goods and cattle as are properly their own within the said islands or elsewhere, and that they and every of them be allowed 28 days' time after the surrender of Innisboffin, wind and weather serving, to take with them, sell or dispose of the same into any of the State's quarters or elsewhere, to their best advantage, and passes granted to them for that purpose.

5. That Commissary-General Reynolds undertake to transport Col. Cusack, Lt.-Col. Costello, or either of them with 1000 men or as many of them as they can produce by the time hereafter limited from Clare Island to Bilbao Sebastian or any other convenient port in Biscay, within 21 days from the date hereof, and upon their shipping shall receive for each man 12 shillings, and there being landed, shall receive the benefit of as good conditions as was made with any that have made any contract with the Spanish agents here, and upon laying down arms, they shall receive one month's pay according to the State's rate, for their officers and soldiers to the above number, or so many of them as they shall produce, and that from 7th March next both officers and soldiers respectively shall be provided for with shipping and provision until they be landed in Biscay, and that at the Commissary-General's charge, and that such of them, as shall not then be produced, shall within six weeks from the date hereof be transported from Galway and receive the like provision and conditions for them, as for the rest, both here and in Spain, and an order of thoroughfare in their march thither.

6. That Col. George Cusack shall have allowed unto him to travel about his occasions 4 horses, 4 swords and 4 case of pistols, and to Lt.-Col. Bourke the same; to Lt.-Col. Dudley Costello and their field officers 3 horses, 3 swords

it fit to give this advertisement to you, that having received intelligence lately, which we shall desire you as yet to conceal from the Irish, that the ships which conveyed men into Spain are some of them stopped by the governors there, and the masters of some imprisoned, as we are certified, although the grounds

and 3 case of pistols ; to each captain one horse, one sword, and one case of pistols ; to each lieutenant and ensign his sword.

7. That all the prelates and clergymen in Boffin and in the island aforesaid shall have protection for their lives and goods and be transported with the rest of the party.

8. That all officers and soldiers, now submitting upon these Articles, shall have as much interest in their own estates, and as much favour showed unto them, as any other officers and soldiers that laid down arms since 1st of March last shall have of theirs ; that such of their wives as shall not be transported shall be protected in their bodies and goods, and have free liberty to live upon their own estates or elsewhere in the quarters, paying contribution, and if any officers shall have occasion to return hither to their wives and families and to transport into Spain, or to live with them here, [they] shall be permitted so to do, they acting nothing prejudicial to the State.

9. That all inhabitants, merchants, strangers, foreigners and all others in the said islands shall be protected in their persons and goods and estates, paying their contribution, and all such as shall transport themselves by the 7th of March shall pay no contribution, but have free liberty to make sale, or transport, by sea or land, to any part of the Parliament's quarters or elsewhere, for their best advantage, all their goods, cattle and merchandise unto them belonging, and shall have their several passages to that purpose.

10. That all manner of persons comprehended in these Articles shall have free liberty to sue, arrest or implead any person justly indebted to them and have the full benefit of the law as to that effect.

11. That the inhabitants of Ballenehensy [Ballynahinch] barony, as are now residing in Boffin or elsewhere under the said Col. Cusack's command, shall have liberty to repair to their former dwellings with their goods and cattle, and there to be protected, paying only their contribution for the time to come.

12. That it be allowed to Lt.-Col. Costello's wife, children, for their family and tenants, to live in the island of Clouty [Clonty near Ballina] in the County of Mayo, where now she liveth for two years yet to come, with 4 ploughs and 200 cows, or as many of them as she or they may have in the lands about the said island, she and they paying their contribution accruing due in that country, and acting nothing prejudicial to the State ; and the said Lt.-Col., his wife, tenants, children and family shall not be arrested either in body or goods for any act by them or any of them committed since the beginning of the war to the date hereof, nor for arrears of contribution challenged, pretended to be due upon the said Lt.-Col., other than due debt appearing by bill, condition, or witness.

13. That if any person shall violate these Articles, it shall be answered by the person offending and no other, their officers endeavouring to bring them to justice and that Capt. Meilett and Capt. George Cruse shall be delivered up as hostages for the surrender of the Island of Inisboffin by the time aforesaid. In witness of our assent unto and conclusion on all and every the above mentioned Articles we have hereunto set our hands the day and year above written. Rich. Bourke, Dudley Costello, Wm. Jordan, George Cruse, Hen. Flower, Mart. Jubbs, Ed. Landon, Wm. Wade.

It is agreed upon the signing these Articles that if any men shall appear who do belong to Col. Cusack, who shall not be armed, to each man so appearing 9 shillings shall be allowed upon the muster taken of them in order to their transportation, besides the 12 shillings for each soldier at the entering on shipboard. I do hereby ratify and confirm these Articles, George Cusack. Articles of Capitulation, ff. 100-103.

thereof are not fully known to us, we approve therefore much rather of the transporting those persons into Flanders than into Spain, especially they giving in caution for the safe return of the shipping and performing those other conditions, which they offer. Upon which ground also we judge it not advisable to ship them on board the men-of-war; but have despatched away an Order to Col. Ingoldsby to Limerick, to make stay of what vessels are there, and to acquaint you immediately with what ships are there and of what burden, to the end you may send him your warrant for the pressing of as many of them as you shall conceive necessary for that service, which you are hereby authorised to do. We likewise presume that several vessels are, with the late winds, before this come into Galway with provision from Chester, of which also you may, and are hereby authorised to take up so many as you shall judge necessary for that service, contracting for their freights and taking security for their return as aforesaid." 25 Feb. Domestic Corresp. A/90. 50. ff. 433-4.

348. Ordered that the following places in counties Meath and Louth be excluded from protection, viz. from Ballina in co. Meath along the highway to Roghtrue (Loughcrew), thence to Clonebreny; from Clonebreny to Kells; from Kells to Newtown; from Newtown to Raffin (Rathfine) and thence to Nobber; from Nobber to Newstone and thence to Atherdee; from Atherdee (Ardee) to Cookstown and thence to Thomas-town, and Knockbridge, and so in a direct line by Kilcurly to Castletown-Bellew; thence to Ballinastantin (? Ballynascanlan) and Castletown-Corsley and along the common highways from place to place and so to Carlingford. 1 March. Orders A/82. 42. f. 698.

349. "Ordered that such person and persons as are included in the Articles made at Kilkenny on 12th May last with the Irish party, be and are hereby permitted to enter upon and enjoy so much of their real estates as lies waste and unimproved, or otherwise unlet or undisposed of; and for so much of their said estates, as are already let or disposed of, the said persons so included in the said Articles are to receive the rents payable for the same to the Commonwealth over and above contribution,

according to the true intent and meaning of the said Articles and the explanations made thereupon, until the 10th April next. Whereof the Commissioners of Revenue in the respective precincts in Ireland and all others whom it may concern are to take notice." 3 March. *Ib.* f. 671.

350. THE COMMISSIONERS TO THE SPEAKER.

" . . . Such is the indisposition of this people to all manner of labour, and their proneness to rebellion that, after articles and protection given them, if there be but hopes of a subsistence for them, they immediately embrace all occasions to run out again, daily intelligence coming of small scattered parties, sometimes of forty, sometimes of a hundred, sometimes of more numbers, running out to prey upon the country. But the most of them abound now in the counties of Cork and Kerry, where O'Sullivan Beare and Col. [O'Driscoll] have gathered together near 1500 men, some of whom, intercepting a small party of your forces,¹ killed the captain of them and most of the men, to the number of thirty-four; for the suppressing and pursuit of which in all places great care and diligence is used by your officers and soldiers here." 4 March. Domestic Corresp. ff. 442-3.

351. SAME TO THE COUNCIL OF STATE.

" By our last of the 4th of February we did acquaint your Lordships of the taking of Sir Phelim O'Neill, now condemned of treason by the High Court of Justice at Dublin, at whose trial² there being divers witnesses produced, who affirmed in Court, upon oath, that he had oft told them he had a Commission from the late King for what he acted in that Rebellion, he persisting notwithstanding in denial of it, this copy [wanting] was presented in Court and read before him, which coming attested by a person of honest repute, we thought it our duty to transmit the copy thereof to you; and further to acquaint you that it hath pleased the Lord also so much to bless the undertaking of your servants, that Innisboffin is likewise surrendered to the

¹ For a fuller account of this affair see a letter from Col. Jones to Major Scott, 1 March 1653, printed in Gilbert's *Contemp. Hist.*, iii, p. 371. The captain commanding the English troops was Capt. Gibbons.

² See Hickson, *Irish Massacres*, ii, pp. 181-191.

Commissary-General upon Articles, the copy whereof are here enclosed to you, whereby, as by many other great and seasonable mercies, the Lord hath much disappointed your enemies abroad, who, as we are informed from the enemy here, had designed twelve sail of frigates out of France to rendezvous at that place by the latter end of the next April, and to make that their shelter for the more convenient committing of their robberies.

“It hath also pleased the Lord to assist another party of your forces under Col. Barrow against a party of the rebels, who, in hope of safety and for the better annoyance of the country, had betook themselves into certain islands and bogs; and to deliver into your hands Trinity Island¹ lying in the County of Cavan, which was a considerable fastness of the enemy's, and able to receive about 1500 men in it.

“Notwithstanding all which testimonies that the Lord hath pleased to bear against your enemies, yet such is the desperate condition of many of them that, partly under the sense of guilt and fear of being brought to condign punishment for the murders they have committed, (as we have before intimated to your Lordships), partly through their extreme necessity, (seeing themselves deprived of all hopes of their estates, and of all expectation also now of being transported into Spain, by reason of the discouragements that are put upon them by some that are lately come over) we frequently have intelligence of divers running out and committing robberies upon the country, and more lately in the counties of Cork and Kerry, where about 1200 foot and 60 horse are got together and have possessed themselves of Whiddy Island in the Bay of Bantry, having lately intercepted a small party of yours and killed a captain with thirty-four of his men, doing much mischief by frequent incursion into our quarters.

“Having intelligence therefore, that the Spanish ambassador desires licence for Major-General O'Neill to transport from hence 5000 men, [and] that to this purpose he hath already moved your Lordships, [and] that likewise 4000 more are desired by Col. O'Dwyer, we did the rather conceive it our duty to represent to you the probable security it may prove to the country, and conveniency for your affairs here, to give

¹ In Lough Oughter.

encouragement for the shipping away as many as is possible of those who have acted in arms as soldiers against you. Where (as most necessary to that encouragement) we shall humbly crave leave to mind you of what by the last post, we, in the behalf of the merchants and some former undertakers, presumed to move to you that a regard may be had, in such way as to your Lordships' judgments shall be thought fit, for the true and punctual performance with the merchants and undertakers in Spain, and by the Spanish ambassador in England, after they have, according to their contract, delivered their men there, without which we fear there will be found none to undertake the carrying away more men.

" Upon consideration still of the miserable condition of this country, and the many straits and wants of your poor soldiers, through the insolvency of such counties and places appointed for their pay, which we are constrained daily to lay more and more waste, to prevent all relief and subsistence to the enemy, we did, in the beginning of December last, solicit your Lordships and the Parliament for the continuance of the supplies of money for the forces here, which, though we were unwilling to press your Lordships too often about, upon our knowledge of the great charge and the import of those affairs you were engaged in, yet now the necessities of the soldiers here further calling upon us, we must again be earnest with your Lordships for a mindfulness of us, and for hastening some part of those monthly supplies to us.

" There is lately communicated to us the copy of certain proposals of the Master of the Mint about several officers and other persons to the number of forty, that it is alleged are necessary to be sent over hither for the accomplishment of that business, according to the computation of which trouble, expense, and charge, as it is there represented, we humbly conceive that your Lordships and the Parliament can have little encouragement for the promoting that work or setting up any mint here, and had we indeed judged the thing not able to be effected without engaging so many persons to come over out of England about it, or drawing so much charge after it, we should hardly have presumed to have moved it to your Lordships, although our necessities do greatly press for it." 4 March. *Ib.* ff. 443-5.

352. Ordered that Sir Phelim O'Neill, prisoner in the Marshalsea, Dublin, be allowed to see individuals, but not more than one at a time. 5 March. Orders A/82. 42. f. 673.

353. THE COMMISSIONERS TO MR CULL.¹

"Having received testimony of some expressions which proceeded from you, tending to atheism, and the stirring up of questions to lead the people to a light esteem of God, we conceived it not agreeable to our duty to continue unto you any encouragement for the preaching of the Gospel, until you had cleared yourself from that, and some other loose demeanours fixed upon you, by the depositions returned unto us by the Commissioners we appointed to examine that matter. . . ." 11 March. Domestic Corresp. A/90. 50. f. 454.

354. SAME TO COLONEL VENABLES.

"We are this day advertised from the Council of State, by a letter of the 1st inst., that they have received intelligence from the Commander-in-Chief in Scotland of an agency set on foot, and a correspondence that is entertained between the heads of certain septs in the Highlands of Scotland (who are now in arms in opposition to the Interest of the Commonwealth) and some parties with you in the north of Ireland, not without some intentions likewise both to raise new stirs, and to maintain a constant course of supplies and intelligence on both sides one with the other. This, therefore, we thought fit immediately to communicate to you, to the end that, upon knowledge hereof, you may the better prevent the same, and also inform yourself, and discover such circumstances as may give you more light in this design, and the nature of it, which we shall desire you carefully to put in effect, and especially to learn what meetings have lately been amongst the Scots, and particularly of those that were formerly of the Lord Glancarnes² or Monro's party, and what barks or persons have also lately gone out, or come in between your parts and Scotland. We shall further desire that private and strict orders may be given to the officers and waiters of the customs, or such as you may repose trust in, to search narrowly

¹ John Cull, minister at Kildare. He exonerated himself of the charge.

² William Cunningham, Earl of Glencairne. See *Life in Dict. Natl. Biog.*

all barks, (that shall come in) for letters and papers, in order to the intercepting, what you may, their intelligence ; likewise that no passengers may be admitted to come on shore, before they be examined by the officers of the customs (or such others as you may judge fit persons) for the discovering of their qualities, conditions, and the occasions of their coming over ; and for the finding out of private letters. We hold it advisable also, that you immediately cause an embargo to be made of all ships, boats, and other vessels that shall come out of Scotland, or any the isles thereof into Ireland, continuing the said embargo of both until further order ; and if you find cause of suspicion against any person attempting to go into Scotland, or coming from thence, that you cause them to be secured. We judge it also of much import to this service that you strictly and effectually pursue the Order formerly sent you, for securing of all serviceable horses and firearms. Some other things are under consideration for removing all such persons of the Scottish nation as have been officers and commanders in arms against the Parliament or their forces, or such others as may likely be most active in these late counsels ; for the execution of which you shall suddenly receive a commission, with some others, which we have a purpose to send down to assist you therein. In the management of all which business and of these several Instructions we shall desire you to use much privacy and diligence, and that you certify the manner of your proceedings herein from time to time to the Commander-in-Chief, or to your assured friends." 14 March. *Ib.* ff. 456-7.

355. " Whereas we are informed that many of the inhabitants and proprietors of houses and lands within the town and liberties of Galway, have, since the rendition of the said garrison, out of their disaffection to the Parliament and their forces, quitted their habitations and removed their stocks, whereby the public contribution falling upon them is wholly lost, and the burden upon the remaining inhabitants become the more heavy and intolerable, it is ordered that the Commissioners of Revenue at Galway do forthwith sequester all such houses and lands into the hands of the Commonwealth, as they shall find to lie waste or deserted as aforesaid, and to dispose of the same as they shall conceive to be most for the public advantage, and to employ the

profits thereof for public use until the contribution and all other public dues be satisfied." 15 March. Orders A/82. 42. f. 705.

356. Ordered that the time for taking the Engagement be extended till 10th May next. 15 March. *Ib.* f. 714.

357. Ordered that encouragement be given to Sir Charles Coote to set up iron works at Mountrath in Queen's County.¹ 16 March. *Ib.* ff. 714-5.

358. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"Your Lordships' of the 1st of March, acquainting us with your intelligence from the north of Scotland and your pleasure therein to us, we lately received, and accordingly forthwith despatched away an express to Colonel Venables and some others, with several directions in order to the putting your commands in execution, of which we hope a good account will be answerably given. The enemy in Kerry,² as we are this day advertised, do still increase, growing somewhat numerous and having lately taken an island, called the Dorzes [Dursey], which lying commodiously for the annoying of any shipping which shall fall with that coast from the westward or southward, and being a convenient harbour, they are endeavouring to fortify it. For the prevention of which, and reducing them unto obedience, a strong party is drawn out and sent down by land, and Captain Sherwine ordered to go thither likewise by sea, which, with the Lord's assistance to them, will, we hope, be able to effect something speedily for the discouraging of the enemy. 16 March. Domestic Corresp. A/90. 50. f. 457.

¹ For an interesting contemporary account of Sir C. Coote's iron works at Mountrath, see Gerard Boate, *Ireland's Naturall History* (1652), ch. xvii, sects. 5 and 6.

² Commanded by Mortough O'Brien, Donnell or Daniel O'Sullivan Beare of Berehaven and Lt.-Col. Cornelius O'Driscoll of Dunalong, near Baltimore. These three leaders, though belonging to Muskerry's party, broke away from him when he surrendered at Ross. They continued the unequal contest for some time afterwards, and eventually managed to escape to the Continent without compromising their principles. (For their proceedings abroad see Thurloe, *State Papers*, i and ii *passim*.) All three were regarded with special favour by Charles II, and restored by warrant to their estates.

359. SAME TO THE COMMITTEE FOR IRISH AFFAIRS.

Submit to their consideration a fresh expedient recently come to their hands, from some persons willing to undertake the setting up of a mint upon the place. 16 March. *Ib.* f. 458.

360. SAME TO THE COUNCIL OF STATE.

"We have formerly acquainted your Lordships and the Council with the great straits we should be in here, if some course were not taken to convey such of the Irish, as are now willing to be gone, into foreign parts, and truly those straits do increase more and more upon us every day. Our present condition in that particular stands thus. There are many Irish officers have contracted with Colonel Mayo and others, to bring down to the sea coast very great numbers of men, and in pursuance of those agreements, there are at this present at least 4000 of the Irish, that have been in arms, now on their march and ready to march in order to be transported; but Colonel Mayo and those with whom those contracts were made, not having money or credit to make good those engagements, some are gone into England and others dare not appear for want of money and means to perform their contracts, so as we are in a very great difficulty what to do. The continuance of these in our quarters will utterly destroy the quarters; the dispersing them will necessitate them to run to those that are in the woods and other fastnesses, and may strengthen and countenance that party, and will also dishearten any others from those intentions, which we yet find the generality of the people inclinable unto, viz. to remove out of this nation and to serve in the wars in foreign parts; but here is want of money, credit and all necessaries tending to that end; and we have received information that some, that have adventured formerly to carry men into Spain, are returned without satisfaction and performance of their agreements made with them, and that some have had their ships stayed, and affronts put on them in Spain,¹ and know not where to have redress, and so are thereby ruined to the great discouragement of others in that service. All which we do

¹ Regarding the ill-usage of the Irish in Spain see Thurloe, *State Papers*, i, pp. 323, 337. Many of those who went thither with high hopes soon wished themselves back in Ireland, and as a matter of fact thousands quitted the Spanish service for that of France.

humbly present unto you and desire all means may be thought on to give encouragement to such as would willingly carry on that work if they might have assurance to have contracts in that kind performed, this being, in our judgment, the only visible means under God, to settle and quiet this nation." 26 March. *Ib.* f. 465.

361. SAME TO THE COMMISSIONERS OF REVENUE AT WEXFORD.

"Yesterday we received a letter from Lieut.-Col. Overstreet, setting forth the state of your stores about Gorey, Enniscorthy and Arklow, intimating that the quantity of oats expected out of those parts falls short of expectation, and that many poor people are starved, and more are starving for want of corn. For prevention whereof (which had sooner been considered had it been known unto us) we desire that such of the people, as are in a necessitous condition for want of bread, may enjoy so much of their corn, as you shall judge necessary for the subsistence of them and their families, although the same be brought into the garrisons or stores in those parts, and that you do draw them within the line, and assign them such waste lands and places to reside in, as may afford them a subsistence and keep them from perishing. There is care had to furnish both the foot and horse under your charge with provisions out of the store, as the surveyors of the Revenue and Stores inform us." 4 April. *Ib.* f. 471.

362. THE COMMISSIONERS FOR SETTLING ULSTER TO THE COMMISSIONERS OF PARLIAMENT.

"On Friday the 1st inst. we came to Belfast, where we met Col. Hill, and that day issued a summons for all such as had borne arms against the Parliament in England, Scotland or Ireland, and lived within your quarters in that part of Ulster, to appear before us at Carrickfergus on Wednesday following, to render an account of their so living within the Parliament's quarters, and of their affection and fidelity to the present Government. On Saturday the 2nd inst., being then at Carrickfergus, upon considering what to do with those who were to appear before us on Wednesday following, we resolved not to com-

mit any to prison in regard of their great number and the several experiments which had been fruitless in that kind, but to use all ways of gentleness and meekness towards them, we concluding and unanimously agreeing that there is no visible expedient to preserve these parts in safety, but by transplanting all popular Scots into some other part of Ireland, and that it was necessary immediately to put this in execution as to the most dangerous of them ; and finding them sufficiently averse from the Irish, we thought it would as well strengthen your hands against the common enemy there, as weaken your fears and lessen your charge in these parts, nevertheless because we had no power to make such a resolution, but by the last article of our Instructions, and because it was necessary, if this be practised, that yourselves appoint the place to which they should be so transplanted, we did not think fit to publish our thoughts in this till we should receive your Honours' approbation and direction concerning it, which we humbly beg with what speed your greater affairs will admit.

“ In the meantime we have heard what they could offer us towards full satisfaction concerning their fidelity and peaceable demeanour for time to come, and find them all desirous we should trust to security by bond, which we cannot think sufficient in regard that, if they give us our friends to be bound for them they will not scruple to leave them to be destroyed by us : if our enemies, we suppose such will revolt with them ; so then we rather chose for present security, till your pleasures might be known concerning transplanting the most dangerous, to tender them the Engagement, which the greatest part of them have signed, but we cannot say out of conscientious grounds ; the rest have part of them signed a negative paper, which we send enclosed [wanting] ; some others refuse that and this, and will neither promise nor give bond not to disturb the present Government, but we have not yet imprisoned them, in regard we do not at present fear their power, and are not willing to let the rest, towards Derry, whom we have not yet called, see how far we mean to go. In our observation of the temper of this people we find that they are more or less perverse according to the temper of their respective ministers, and their being planted all together or mixed amongst English and Irish, which are also further arguments to us for their transplantation.

“ Touching the prevention of correspondency, we thought it necessary, before we could make any resolutions thereupon, to view the sea-coast, which we have already done as far as Cushendun near Fairforeland, the north-east point of Ireland, and find that there are landing places all along the coast, though not one good harbour except Olderfleet haven, which is as good as any in Ireland, and that in two hours they may pass betwixt the headland of Cantire and the coast of Ireland between Glenarm and Fairforeland, so that we judge it impossible to prevent correspondence whilst the Scots are suffered to live along the sea-coast ; nevertheless, that we might do something towards it, we have sent Captain Fenwick’s company to seize all the boats upon the coast, as also to discover and intercept correspondencies, and likewise sent a letter into Scotland to the governor of Ayr for his advice and concurrence in this, and also given some other intimations which we send enclosed [wanting]. We have also, in order to the 3rd and 4th articles, sent out spies into the several parishes, and likewise one to the highlands of Scotland.

“ We intend on Monday our journey towards Derry, to try the temper of men in those parts, that so we may be fitted to give a judgment on the whole, which we intend to do in all parts at one time, according to the several capacities in which we find persons to be. In order to the effectual doing of which, we humbly conceive it requisite that those forces about Trim, bordering upon these parts, be in readiness to attend anything that may occasionally fall out upon such alterations ; but privacy in your debates of these things, and the like care in the sure conveyance of your resolutions to us, will much facilitate this work, which if discovered may probably cause great disturbance, if not frustrate this whole work. We conceive here are at least 300 serviceable saddle-horses besides a greater proportion of draught-horses also fit for service, which are in persons’ hands not fit to be trusted with them, although the respective owners have given security to have them forthcoming, which we cannot take out of their hands in regard we have not money to pay for them, nor know how to keep them for want of forage if we take them into our hands, and therefore desire your commands concerning them and all things else we may serve you, which shall be faithfully obeyed by your

332 *Irish not to be sued for acts of simple warfare* [1653
very humble and faithful servants." Carrickfergus, 9 April.
MSS. T.C.D. F. 3. 18.

363. Whereas by an Order of 19th of February 1652[-3] the letting and setting for a new term of any lands, belonging to any person or persons comprised within the Articles made at Kilkenny 12th May last with the Irish party, was to be suspended till 10th inst. April, it is now ordered that the said suspension be continued till 10th May next and no longer, whereof all whom it may concern are to take notice. 11 April. Orders A/84. 44. f. 53.

364. Ordered that uniform weights and measures be used throughout the country. 12 April. *Ib.* ff. 73-5.

365. Ordered that all persons who submitted before 12th May 1652, and have not since gone out, shall not be arrested, impleaded, molested, or tried at law at the suit of any private person, for any matter or thing committed by them as soldiers in the orderly and usual course of war ; provided they produce certificates that they have taken the Engagement. 13 April. *Ib.* f. 61.

366. THE COMMISSIONERS TO LORD-GENERAL CROMWELL.

" We formerly received your Lordship's letter of the 15th of March 1651[-2] for the stating the arrears of Colonel John Gifford¹ and the rest of the Munster officers, who declared for the Parliament upon the late reducing of the city of Cork and town of Youghal, to the end they might receive satisfaction for their service and arrears at the same time with the army and soldiery in Ireland, wherein your Lordship seems very sensible of the freeness and seasonableness of that service, and how much it conduced to the promoting the Parliament's interest in that province ; and upon applications lately made unto us by the said colonel and the rest of the officers concerned in that business,

¹ Col. John Gifford was, I think, the son of Capt. Richard Gifford or Gyfford, of Ballymagarret, co. Rosecommon, and Anne, daughter and co-heiress of Henry Duke. See p. 58 and *cf.* a petition of his to the Committee for Irish Affairs in 1647 in *Hist. MSS. Comm.*, Report vi, App., p. 193, with the description given of him in the General Pardon of 1661, as of Bolleugh, *recte* Bellaugh, near Athlone. He had assisted in securing Youghal for the Parliament in 1649.

grounded upon the said letter, and a promise (as they alleged) made unto them by your Lordship, we referred them to the Commissioners appointed by the Parliament for stating the account of the soldiers' arrears here, who (upon perusal of the Act enabling them thereunto) did certify unto us, that they find that the said officers are positively debarred from having any benefit thereby or any security for their arrears, which we thought fit at their request to represent to your Lordship, and humbly leave them and their condition (which we apprehend to be very sad) to your Lordship's further consideration." 13 April. Domestic Corresp. A/90. 50. f. 477.

367. SAME TO THE COMMISSIONERS FOR SETTLING ULSTER.

"By yours of the 9th present from Carrickfergus we perceive that the work you are now upon is very important, and although attended with many difficulties, yet necessary to have some progress made therein at this time for the better preserving of the public peace, and timely breaking of such designs as may be in consultation for the disturbance of the same. The first thing you propound in order to that service is the transplanting of such popular men in those parts, of whose dutiful and peaceable demeanour you have no assurance, into some other parts in Ireland, where their influence may not prejudice the Commonwealth's Interest. Wherein, after serious consideration had thereof, we do fully agree with you that the thing is advisable, if you (upon the place) judge it may be done without such disturbance in the country, as may raise the expectation of the Irish for some issue to their advantage, and thereby give check to their resolution, of transporting themselves beyond seas, in hope of trouble here, and likewise without much prejudice to such of them as, being transplanted, may be judged fit to enjoy any part of their estates upon the Act for Settlement of Ireland.

"The places into which we conceive they may, with safety to the Interest of the Commonwealth and advantage to them, be removed are the parts of the counties of Kilkenny, Tipperary and Waterford, the Decies in the County of Waterford bordering upon the sea, and such other parts of that county near to the town of Waterford, where they may with security inhabit

in such places as the Commissioners of the Revenue within those precincts shall appoint, in which places there are very good lands waste, and we conceive they may inhabit with safety. Such of them as you shall think necessary to transplant, you may assign to those respective precincts as you shall judge fit. How this may effectually be put in execution we leave to you to determine, and prosecute as you shall apprehend to be most practicable, with least noise. We cannot see but it must be either by securing the persons of the men, until their families and stocks be removed into such place as you shall appoint, or by taking security by bonds from them and their friends to remove by a day appointed. And to the end they may not apprehend their removal to be of prejudice to them, you may give them assurance that they shall enjoy the benefit of their estates and farms from whence they remove for this year to come, they employing such persons to manage the same, of whose fidelity to the Commonwealth you receive assurance.

“As touching the line to be along the coast to prevent correspondence with Scotland, we judge that as yet (though advisable to be done in time) not ripe for a resolution. There will be orders issued out for a competent number of horse to be in readiness at some convenient distance, to attend any service they may be called unto in those parts of Ulster, and likewise for the buying of such horses in that country as are fit for the service of war, at the charge of the regiments or troops that want them.” Undated. [? 13 April.] *Ib.* ff. 478-9.

368. Ordered that Col. Hierome Sankey and the rest of the Commissioners of Revenue at Clonmel be empowered and authorised to remove any of the Irish inhabitants out of the said garrison as they shall see cause; provided that their place be supplied with English tenants immediately, and that two months' time be given to such Irish inhabitants for their removal as aforesaid, and that waste lands be assigned them, as the said Commissioners shall judge fit. 14 April. Orders A/84. 44. f. 62.

369. EXPLANATION OF “MURDER.”

“A. B. is not esteemed guilty of murder, except he had actually a hand in any particular murder, or did command the same, or except he was present and had command when a

particular murder was committed by persons under his command. Ordered that it be referred to the Commissioners for administration of Justice at Dublin—Mr Justice Cook,¹ Mr Attorney-General Basill, Colonel Thomas Herbert, Quartermaster-General John Vernon, and Mr James Standish to consider whether any hath been condemned for murder by either of the High Courts of Justice, appointed by the Commissioners of Parliament, whose case is not included in the above specified explanation. . . ." 15 April. *Ib.* f. 64.

370. Ordered that Sir Charles Coote, Col. Stubbers, Col. Ingoldsby and Col. Richard Coote be authorised to press ships to transport 2000 Irish out of Connaught. 15 April. *Ib.* f. 65.

371. Ordered that, for the administration of justice in the northern circuit, in such counties where a gaol delivery cannot be held for fear of danger of the enemy, or for want of a session-house, gaol, or other necessary accommodation, Justice Donnellan shall try all prisoners brought before him in the county next adjoining to the county in which the fact was committed, where he shall find necessary accommodations, by juries from the proper county (if it may be) and for lack of such, then by able and honest jurors of such next county, to be returned as from the proper county by such as fill the office of sheriffs. 15 April. *Ib.* f. 71.

372. THE COMMISSIONERS TO THE PARLIAMENT.

"Since the rendition of Innisboffin, whereof we formerly gave you account, there hath nothing happened considerable worthy your notice. Amongst many other things that have been and still is before us, in order to the lessening of your charge, we have often taken into consideration the lessening of your forces so far as may be consistent with safety, and preserving your Interest in this nation, and we cannot but acknowledge that we have,

¹ John Cook of Gray's Inn played a prominent part, as Solicitor to the Parliament, at the trial of Charles I. He was afterwards appointed Chief-Justice of Ireland, and expounded his legal views in a tract printed at Waterford in 1652, under the title, "*Monarchy no Creature of God's making.*" At the Restoration he was arrested by Coote, and, being tried for his share in the King's murder, was executed on 16 Oct. 1660 (*cf.* Pepys, *Diary*, i, pp. 258, 265). See Life in *Dict. Natl. Biog.*

and do still find a great cheerfulness in the officers of your army to concur with us therein, and we do find a feasibility of that service, were we in any capacity to give any reasonable satisfaction for arrears to the officers and soldiers to be reduced. The only expedient we can find out is to present the same unto you, and humbly to desire that the Bill now before you, concerning giving satisfaction in that kind, may receive a determination and thereupon we hope we shall give you a good account thereof. . . . There being now considerable parties of the enemy in Cork, and Kerry, and another party in Cavan and those parts of Ulster adjoining to Connaught, there are several parties of your forces at this present drawn out and are in their march to pursue that enemy.”¹ 15 April. Domestic Corresp. A/90. 50. f. 485.

¹ The result of this expedition, so far as Ulster was concerned, was the capitulation on 27 April of the Ulster forces under the command of Philip O'Reilly on terms called the Articles of Cloughoughter.

Articles of agreement between Col. Theophilus Jones and Col. Philip Reilly in the behalf of himself and his party, and the Lord of Enniskillen, Col. Miles Reilly, Col. MacMahon, Col. Hugh Maguire, Col. Con O'Neill, Col. Dan. O'Cahan and such others of the Ulster party, as shall accept thereof by the 18th of May next or before, ensuing the date hereof.

1. Pardon for life and indemnity for all things done by his party, except murder and robbery at the beginning, or any robbery since and violation of protection.

2. Liberty of transportation, and the benefit of any agreement which they can make with the Spanish agent, or any other in amity with the State, and protection to such as desire to remain in the nation.

3. Leave to make sale of their goods before their departure, and the enjoyment of their personal estates by such of them as desire to live in the nation.

4. Satisfaction for their horses at reasonable prices.

5. Priests, or any other in Popish orders to go away within one month; provided during their stay they exercise not their function and had no hand in murders, massacres, and robberies.

6. Such as are transported to have 14 days free quarters, after their laying down arms, and thoroughfare to the water side.

7. That Col. Reilly with the party now with him on the west side of Loughern [Lough Erne] lay down their arms and deliver such forts in the islands, with all the ammunition and provision therein that is in his power, at or before 18th of May next at Croghan, and Col. Hugh Maguire's regiment to lay down their arms the 18th of May next at Belcome [? Belcoo] fort in the county of Fermanagh, and all others of his party included in these Articles are to lay down their arms in the several counties where their quarters are, in such places as the governors of the several counties shall appoint.

8. That such colonels of Col. Reilly's party, as shall at any time before the day of their laying down arms, declare to the governors of the respective counties or garrisons there, [their] being included in these Articles, by giving in an hostage for each of their performance to the said governors, that then the said governors are to give to the respective colonels and their companies passes to secure them from the violence of the soldiers until the day of their laying down arms, they acting nothing prejudicial to the Commonwealth of England, to their armies or garrisons.

9. That the respective officers have liberty to dispose of their horses for their

373. Order of gaol-delivery similar to that given to Mr Justice Donnellan for Mr Justice Cook for Connaught. 20 April. Orders A/84. 44. f. 71.

374. Order for the appointment of a committee to consider how the poor of the nation may be provided for in all parts, and how they may be set to work. 22 April. *Ib.* f. 82.

375. Ordered that certain pirates be discharged on taking the Engagement ; such of them as are of the Irish nation to be sent into Spain, the others to be put to some lawful calling. 25 April. *Ib.* f. 96.

376. Orders to the woodreeves, appointed by the Commissioners, for the selling, felling and preserving of timber in the Precinct of Wexford. 27 April. *Ib.* f. 117.

377. THE COMMISSIONERS TO THE COMMISSIONERS FOR SETTLING ULSTER.

“ We have received your letter of the 24th inst., and have

best advantage to any of the Parliament’s party, as likewise liberty to wear their travelling arms.

10. That Major Charles Reilly remain as hostage at the garrison of Lismore for the performance of the laying down arms of Col. Philip Reilly’s regiments both of horse and foot at the time and place aforesaid, as also for the delivering of all such forts in islands, with all the ammunition, provision and other utensils of war in any of the said forts that is now under his command : (by provision is meant that which is laid in for the public store).

11. That in case the Lord General Fleetwood and Commissioners of Parliament assent not to the confirmation of the above Articles at or before Wednesday next, being the 4th day of May, that then these Articles are to be void and of none effect, and Major Charles Reilly is thereupon to be returned safe unto Col. Philip Reilly, who is likewise to be freed from any engagement by the above said Articles. In witness of all which, we have hereunto interchangeably set our hands and seals this 27th April 1653. Philip Reilly.

I do hereby engage and promise, that upon notice given unto me by Col. Jones of the Lord General Fleetwood’s and Commissioners of Parliament’s confirmation of the Articles concluded between the said Col. Jones and myself bearing date this day, to deliver the castle of Cloughwater with all the arms, ammunition, provision, goods and whatsoever else there is in the said Castle to Col. Jones, or to whom he shall appoint for the use of the Commonwealth of England. Witness my hand this 27 April 1653. Philip Reilly.

The explanation of the Article concerning murder given to Col. Philip Reilly himself is as follows :—

He is not esteemed guilty of murder except he had actually a hand in a particular murder or did command the same, or except he was present and had command when a particular murder was committed by persons under his command by his order, provided he had no knowledge thereof before it was done ; nor is it thereby intended that any killed in fight in the open field at any time since the beginning of the Rebellion be decreed and adjudged murder. Dat. 27 April, Theo. Jones. Articles of Capitulation, ff. 110-112.

considered of the several propositions therein, and are of opinion that the same, with the amendments therein made and herewith sent, may be put in execution, if you upon the place judge fit. The unexpected intelligence,¹ which we have from England, will not suffer us at present to enlarge in this matter, and therefore we shall leave the same to your discretion to do therein as you shall see may be for public safety." 30 April. Domestic Corresp. A/90. 50. f. 489. *Enclosed.*

377 (i). A COPY OF THE COMMISSIONERS FOR SETTLING ULSTER THEIR LETTER TO THE COMMISSIONERS OF PARLIAMENT, TOGETHER WITH THE COMMISSIONERS OF PARLIAMENT'S AMENDMENTS² THEREUNTO.

"Right Honourable, We having resumed the debate concerning our former proposition of transplanting, with due regard had to the cautions and expedients, and not [having] found any ground which might induce us to alter our opinions concerning that thing, we entered into the consideration of conditions to be held forth to such as should be transplanted, which might induce them to undertake the thing willingly, and so prevent all occasions of disturbance, and thought it advisable to offer:—

"First, that valuable consideration might be allowed in land, for the land, leases and houses of such as should be transplanted, according to their respective interests, *and the Qualification under which they fall in the Act of Settlement.*

"Secondly, that they may hold such lands, *till this time two years*, without cess or contribution, and be allowed what timber-woods is necessary, either for the building new or repairing old houses upon the said lands. *The same to be appointed them out of the Commonwealth's woods.*

"Thirdly, that they may enjoy, by their agents, the profits of their lands they now possess here till November. *Approved of.*

"Fourthly, that we engage (if they desire it) to take off all their corn, now upon the ground, being made into meal, and delivered into the store at the market price and pay the money to them for it where they shall desire. *Approved of.*

"Fifthly, that convoys be allowed unto them and licence to keep arms for their defence.

¹ Viz. the forcible dissolution of the Long Parliament by Cromwell on 20th April.

² Amendments and approval printed in italics.

"Sixthly, that they may choose their own ministers, provided they be such as are peaceable-minded men towards the authority they live under and not scandalous. *Approved of.*

"Seventhly, that such as have not title to land shall have leases of so much as they can stock, at a valuable rent. *Approved of.*

"Now, in regard of the great weight of this affair we resolved not to declare these conditions, or proceed in it any further till we should receive your Honours' alteration or approbation of these, or directions concerning other conditions, which we humbly beg with all possible speed, in regard of the nearness of the expiration of our Commission.

"We have here met with one Lt. Hambleton (who formerly took the Engagement and was since in arms against you at Worcester), whom we have secured and intend to send him to Dublin, together with one Major Graham (who betrayed a castle of ours formerly to the enemy) to be disposed of as your Honours shall think fit. We find this town to be a place of very great strength, and might easily be made well-nigh impregnable.

"We have some thoughts of transplanting some of the Scotch inhabitants into some of your towns in the south, if we can find fit grounds to hold out for their removal, their number being at present almost equal with the English, which we judge very dangerous to be allowed, in which we also crave your further directions and humbly remain your Honours' humble and faithful servants. *This likewise approved of.* Robt. Venables, Arthur Hill, Hen. Jones, W. Allen, Ant. Morgan." Londonderry, 24 April, 1653.¹ *Ib.* ff. 489-490.

378. Ordered that all English Protestants, who have lands in Ireland and have been constantly faithful to the Interest of the Commonwealth of England, have liberty to plant their waste lands upon such terms and conditions as waste lands are appointed to be let unto soldiers by the Instructions lately

¹ In consequence of this letter the Commissioners for settling Ulster published a Declaration at Carrickfergus on 23rd May embodying the proposals contained in it. The Declaration, from a broad-side, printed by William Bladen, Dublin, and preserved in the British Museum, will be found in Reid's *Hist. of the Presbyterian Church in Ireland*, ii, pp. 187-190. In his Appendix Reid gives the names of those Presbyterian landowners and others, 257 in all, who, according to the Declaration, were to be transplanted.

given for setting of waste lands to officers and soldiers.
3 May. Orders A/84. 44. f. 112.

379. THE COMMISSIONERS TO THE COMMISSIONERS FOR
SETTLING ULSTER.

“ The season of the year being now come for taking the field, it is conceived requisite that Adjutant-General Allen and Major Morgan were attending their charge in the army, which we thought fit to signify unto you, that you may hasten the perfecting of the work committed to your care, and if you find the work will take up more time than the absence of the said officers from their charge will admit, we shall (upon intimation from you) send some other persons to supply their room. . . .”
9 May. Domestic Corresp. A/90. 50. ff. 492-3.

380. “ Upon serious consideration had of the great multitudes of poor swarming in all parts of this nation, occasioned by the devastations of the country, and the habits of licentiousness and idleness, which the generality of the people have acquired in the time of this Rebellion, insomuch that frequently some are found feeding on carrion and weeds, some starved in the highways, and many times poor children, who have lost their parents or [been] deserted by them, are found exposed to, and some of them fed upon by ravening wolves and other beasts and birds of prey, the said Commissioners conceive it a duty incumbent upon them to use all honest and laudable ways and means for the relief of such poor people, who have not been in a capacity of drawing upon themselves the guilt of the said Rebellion, and, by reason of their years or other impotency, are not able to earn their living, and for the disposing of such vagrants and other idle persons (who have able bodies to work) into houses of correction or workhouses, there to be kept at hard labour until they be broken from their idle course of life, and made willing to betake themselves to some honest calling : And forasmuch as at present the poverty of the country is so great, and the number of poor, who (by reason of the wasting of the country, have neither friends nor habitations to resort unto) are so many, that the ordinary course, provided by law for their relief, cannot be so effectual as is desired, and therefore the said Commissioners have resolved, and do hereby order and declare that subscriptions shall be taken in every

precinct in Ireland, of all such persons (either civil or military) as shall be willing to underwrite any sum of money for the relief or maintenance of poor children, or other the uses aforesaid, for one year next ensuing, to be paid quarterly and some part thereof to be advanced beforehand. . . ." 12 May. Orders A/84. 44. ff. 138-9.

381. "Upon consideration had of the proposals of Joseph Lawrence merchant, desiring licence to transport some of the Irish natives into the Caribbee islands, it is thought fit and ordered that the Commissioners, which are or shall be appointed over-seers for the relief of the poor, within the respective precincts in this nation, or any two or more of them, do deliver or cause to be delivered unto the said Joseph Lawrence, or such agents as he shall appoint to receive them, such vagrants, idle, and incorrigible persons, both men and women, as shall be apprehended and brought before them, and by them or any two or more of them adjudged to be vagrants, idle and incorrigible persons and shall not be willing to betake themselves to some honest calling or course of life. . . ." 16 May. *Ib.* ff. 146-7.

382. THE COMMISSIONERS TO LORD BROGHILL.

"We understand by Colonel Mayo that all the men, which were lately sent away from your parts, are transported upon the account of Colonel Fitzpatrick, so that the contract your Lordship and the rest of the officers in the County of Cork made with Colonel Mayo, and the monies advanced by our order out of the Treasury there we look upon as a reserve in your Lordship's hands, in order to some further service, and do therefore propose that those Irish in Connaught, who are so great a burden to the country and ready for transportation, may be sent away, and the same terms shall be made good unto your Lordship and the rest by Colonel Mayo with those you formerly concluded with him. There are now good store of shipping and provisions at Galway, which may be had at reasonable rates and nothing wanting but undertakers." 16 May. Domestic Corresp. A/90. 50. f. 499.

383. SAME TO MR ROWE.

"The High Court of Justice, now sitting at Dublin, have given us information that evidence lies before them against Geoffrey Browne, a lawyer,¹ and several other Irish Papists, now in or about London, which proves them to have been very active instruments in contriving and carrying on of the Rebellion in Ireland, before and in the first year of the Rebellion; and lest the said persons should escape the hand of justice, the said Court have desired that some course may be taken for their speedy apprehension in order to their trial . . . this being of so much concernment in order to the appeasing of the wrath of God, which is gone out against this land and the settling of a happy and lasting peace in this nation. . . ." 18 May. *Ib.* f. 495.

384. SAME TO COLONEL VENABLES.

"We have directed Captain Rich's ship to come to Carrickfergus, and there to receive further orders from us or from you. Now, for that we know not what prejudice may fall out if the embargo of all vessels in that province do still continue, therefore we desire you to grant licence to such vessels and ships, as you on the place shall judge necessary to carry on the trade of those parts, you taking the best caution you may that they do not trade to such parts in Scotland, as are under the power of the enemy, nor that they carry over, or bring over any passengers, but such as shall be licensed either by the officers of the Commonwealth in Ireland or Scotland. And as you are to use all ways and means, as you on the place shall judge fitting to that end, so [you are] to give directions to the said vessel to ply to and again between the mouth of the port of Londonderry and Carlingford, or such other places as you shall judge fitting, and all vessels belonging to that province or coming out of Scotland may be searched by the commander of the said vessel. . . . The diligence of your officers along the coast in the several ports, and the attending of this small

¹ Geoffrey Browne, the son of Dominick Browne of Carrowbrowne, co. Galway, by profession a lawyer, had played a prominent part as a member of the Confederate party in opposing the schemes of the papal nuncio Rinuccini, though afterwards he had been strongly in favour of effecting an understanding with the Duke of Lorraine. Both he and his father survived the Restoration and recovered their lands. As to Browne's papers, which were eagerly sought after by Carte, see Russell and Prendergast's *Report on the Carte MSS.*, p. 12.

vessel, we hope, may be a means to prevent spies and correspondence between the enemies in both nations." 20 May. *Ib.* f. 496.

385. Ordered that all laws and statutes now in force in the Commonwealth of England for the correction and punishment of rogues, vagrants, sturdy beggars, idle and disorderly persons, and all laws and statutes touching bastardy, swearing, drunkenness, and for relieving and setting of the poor to work, be and are hereby declared to be in force in Ireland. 23 May. Orders A/84. 44. f. 171.

386. Ordered that Peter Walsh, a priest, now in Flanders, with money from Spain for the purpose of transporting 4000 of the Irish natives for the King of Spain, be allowed to land in Ireland to fulfil his errand. 26 May. *Ib.* f. 188.

387. Upon consideration had of the petition of the Irish party who laid down arms in pursuance of the Articles concluded at Dunmore,¹ 14th July last, it is ordered that one or more of the Commissioners of Revenue in the respective precincts of Athlone and Galway do forthwith meet and consider of the petitioners' demands, and for what shall, upon due examination, appear to be in arrear unto them of the sum agreed on to be received by them upon the said Articles, they are forthwith to issue out their warrants for the applotting, levying and collecting thereof, and paying the same to the petitioners accordingly. 26 May. *Ib.* f. 190.

388. It is humbly offered and presented to the Commissioners, on behalf of the small number of inhabitants now remaining in County Clare that the said county, having in it nine baronies containing 1300 plough-lands, is now totally ruined and deserted by the inhabitants thereof, there being not above 40 plough-lands at the most, and those lying in the barony of Bunratty, at present inhabited, except some few persons, who for their own safety live in garrisons. The said inhabitants complain of the heavy assessments, of cattle taken from them for arrears at low prices, and of no satisfaction made them for corn and hay

¹ See above, pp. 236-239, note.

taken from them. Ordered that a close examination be made into the grievances complained of, and, if proved true, be remedied. 3 June. *Ib.* ff. 205-210.

389. BY THE COMMISSIONERS OF THE COMMONWEALTH FOR THE AFFAIRS OF IRELAND.

“ Upon consideration had of the great mortality now again broken out in the City of Dublin and the parts adjacent, and also of such means and remedies as in former times have been used upon the like occasion, it is now ordered and declared that one Act of Parliament made in England in the first year of the reign of the late King James and now in force there, entitled ‘ An Act for making several provisions for those that be infected with the Plague,’ and also one other Act of Parliament made in England in the 43rd year of Queen Elizabeth, entitled ‘ An Act shewing who shall be overseers for the poor, their office, duty and accompt,’ and all other laws and statutes, now in force in England, for making provision for persons infected with the plague, and for providing for the poor, and setting poor on work and binding forth the children of parents that are not able to maintain them, shall be and are hereby declared from henceforth to be of force in this nation ; and all mayors, judges, justices, commissioners for administration of justice, and all officers in cities and towns corporate, and all constables, and all other ministers of justice in the several counties, cities, corporations, and garrisons of this nation shall and may, and are hereby authorised and required, in their respective places and according to their respective trusts and powers, to put the said laws and statutes in due execution. And it is further ordered that the mayor of Dublin for the time being, the governor for the time being, Sir H. Waller, Sir Robt. King, Cols. H. Sankey, Theoph. Jones, Richard Lawrence, Alderman Daniel Hutchinson, Col. Thos. Herbert, Dr Henry Jones, Adjutant-General Allen, Quartermaster-General Vernon, Dr Philip Carteret, Col. Henry Markham, Major Brian Smith, Major Henry Jones, Dr John Foy, Lieut.-Col. Dobson, Dr John Pretty, Alderman Thomas Hooke, Mr Timothy Avery and Mr Robert Molesworth, or any three or more of them shall be, and are hereby appointed a Committee who are hereby authorised and required to sit

once in a week, or oftener as occasion shall require at the Tholsal Hall in Dublin, or elsewhere, as they shall appoint, and to consider of, use, and execute all good ways and means whereby the said laws may be duly put in execution in the City of Dublin and within twenty miles of the said city. . . ."

7 June. MSS. T.C.D. F. 3. 18.

390. Ordered that the governors of the several precincts be authorised to press ships to transport 8000 Irish. 8 June. Orders A/84. 44. ff. 216-7.

391. Ordered in reference to the complaint of the inhabitants of Kerry as to the severity of the assessments, that, as every precinct ¹ makes the same complaint of poverty and inability to pay, the assessment do remain as it was established. 9 June. *Ib.* ff. 217-219.

392. " Ordered that such priests or other persons in Popish orders as do at any time, within fourteen days next ensuing the date hereof, voluntarily repair to the Commander-in-Chief of the forces within any precinct in Ireland where they do live and reside, and give good security of responsible persons that they will forthwith repair to the waterside, and give notice of their being there to the governor of the port or place to which they shall repair, and signify their willingness to be transported beyond seas, and do accordingly transport themselves with the first opportunity, then such persons shall hereby have liberty to transport themselves beyond seas and not be molested and disturbed, they behaving themselves peaceably and inoffensively; provided the said persons be not guilty of murder. And it is further ordered that such of the said persons and all other priests and others in Popish orders, as shall not come in and render themselves as abovesaid, be apprehended and proceeded against according to former Declarations published in that behalf." 10 June. *Ib.* f. 222.

393. THE COMMISSIONERS TO THE COUNCIL OF STATE.

" The enclosed intelligence ² [wanting] coming to our know-

¹ Cf. Prendergast, *Cromwellian Settlement*, p. 81.

² Probably relating to the capture of ships mentioned in the next letter.

ledge, we have immediately despatched letters to Mr Charles Whalley at Chester, desiring him forthwith to give immediate notice thereof to such of the commanders of your ships of war as are in Chester and Liverpool waters (there being none of them on these coasts, nor in any place from this harbour northward that we know of) and to require them without delay to go to sea to clear those coasts of the north, where these pirates have continued for the most part of this summer hitherto. . . . Also the want of small nimble vessels, to go sometimes with oars, makes your great ships altogether unserviceable as to do any execution upon these picaroons, who are light, nimble vessels and go with oars. One such small vessel to attend each of your great ships, and to be manned by the company of the great ship, would be more available upon these coasts than double the number of great ships, now appointed for these coasts, who cannot annoy this enemy, who can get from them by the help of their oars, and therefore serve not, as they are, for much more than a convoy." 11 June. Domestic Corresp. A/90. 50. ff. 507-8.

394. THE COMMISSIONERS FOR SETTLING ULSTER TO THE COMMISSIONERS OF PARLIAMENT.

"In pursuance of what was formerly presented unto you (our Commission being determined) we give you, by one of our number, this following account of our actings in this further observance of your Instructions for the settling of Ulster.

"Upon Adjutant-General Allen's and Major Morgan's departure, finding that some time would be elapsed before the Declaration could be printed and sent unto us, the enclosed paper was agreed upon and signed by us all, to be sent, by us that stayed here, with all speed into the several quarters, to the end that no time might be lost in hastening the transplanter to make choice of their agents to attend you, in order to their future removal, which was accordingly executed, and the transplanter met at the places appointed before the Declaration came to us, which we received the 5th inst. Upon consideration whereof it was not thought fit to publish the same for these ensuing reasons :—

"1. Because of the great mistake of the printing the names.

“2. Because we would take all occasion from any, by variation or transposition of matter from that which we had formerly held forth unto them, to suggest unto the rest, who are too ready to lay hold on any colourable pretence to misrepresent our actions, that we had in the least differed from our former papers.

“3. Because if the Declarations had been issued as soon as received they would have added nothing in furtherance of the work intended, being they contain no new matter save only the preamble.

“4. Because they could not be sent and divulged into the several quarters before the day appointed for the return of their final answer in choosing and instructing of their agents for the purposes aforesaid, which was appointed to be the 7th.

“5. Lastly, because that we had received some information from their meetings of their averseness to remove, to which we had formerly hopes they would have been more pliable, and so conceived that they might give occasion to make some alterations in what was already intended to be declared.

“Upon the 7th and 8th inst. the agents of both counties attended us for passes, which we accordingly granted them. Those of the County of Antrim gave us to understand that they could not possibly take their journey for want of monies, in regard the transplanners left them before a collection could be made. Wherefore, to further their despatch, we were necessitated to borrow £40, which we have delivered unto them, and humbly desire that you would be pleased to issue your warrants to the Commissioners of the Revenue to levy the same equally upon the transplanners, that the same be repaid accordingly to Col. Venables' order, that so we may be discharged of our engagement for the same. During the time that their agents attended us some gentlemen of both counties, being more desirous to choose and conclude for themselves than by agents, desired passes from us to attend you to that purpose, which we accordingly granted them. Their names and petitions signed will be with this delivered unto you. If more desire the same we shall readily agree to afford them passes, because we conceive it may much further the work intended, by begetting a better understanding, in those that are left behind, in your good intentions towards them, when they shall perceive others besides their

agents to return satisfied and fully agreed with you for their future residence.

“ By all that hitherto we can see, either into the humours of these people or the issue of this business, we do not yet find that there will need much force or further threatenings to render them conformable, so they may be satisfied in the ensuing propositions :—

“ 1. That the places they go to inhabit be free of infection, and probably secure from Tories and enemies.

“ 2. In regard that many of them are of mean condition, they desire they may be left to choose their own landlords in any of the two provinces, by whose just dealing and countenance they may have hopes to live with the less oppression and disturbance.

“ 3. That if they contract for the State's lands, their contribution may be included in their rent, that so they may be at a certainty.

“ 4. That they may have such terms for years of the places that they go to possess, as may probably render them and their posterity gainers for the present hazard and great charge they are at in removing and planting of those wastes they go to possess.

“ 5. That those that have freeholds, or considerable leases of value, may not be forced to surrender their evidences or transfer their rights, until they have legal assurances made unto them of what they receive in exchange.

“ 6. That they may enjoy the profits of their estates that they leave behind, paying contribution out of them as now they do, until the places exchanged with them be so planted as may render them a future livelihood, which is conceived cannot be less than one year after November next.

“ These things being accidentally discoursed with us by several of them, and considering that these being added to what are formerly proposed they are but what we should propose for ourselves, if we were in their case, we have presumed to offer them to your consideration, believing that if you find them fitting to be consented to, and reserve them as concessions of favour from yourselves, with what other things of that kind may occur, all obstructions will be removed as to the general transplanting, except in some few particular cases, which by reason of age, sickness, or other necessary impediments cannot remove

without apparent ruin to their persons or fortunes ; and further you will beget in the hearts of these people such an understanding of your good intentions towards them, beyond what they have had or thought of you, as that we are persuaded you will within a twelve-month more leave few here that will not be willing to go faster, it may be, than you would have them.

“ We have one thing more to add for their encouragement and also the State’s advantage, as we conceive, which is that all the land that is set them be set by the acre ; that, if you include the contribution in the rent, you do, after the first year’s freedom, the next year reserve very little more than the contribution comes to, and so increase your rent yearly for two or three years after until you come to such a rent as you find fit for the State to receive for their whole time, and they to pay, with respect to their future comfortable subsistence and well-being.

“ This business is in our thoughts of that weight, and presume in yours also, in respect of the future planting of these parts with English and thereby securing of the same that we cannot pass by the conveniencies that may ensue upon the premisses if the ends aforesaid be obtained by them.

“ 1. First, you displant these here without noise and clamour.

“ 2. Their ministers will probably follow.

“ 3. Whereas you have proposed them certain places to dwell in near and in a manner contiguous, you disperse them further asunder by giving them way to settle in any places in the said provinces as aforesaid, and so render their conjunctions less powerful in opposition at any time against the State.

“ 4. You will assuredly find, after the first year, profit by their removal, for they will then in rent and contribution be content, according to the goodness of the land, to pay yearly for those wastes, which maybe in seven years would not be inhabited, much more than the contribution they pay here comes to.

“ But if these people, notwithstanding the concessions aforesaid, shall still prove refractory, we conceive then no other means but force will render them conformable. In order to which we humbly offer, that whom you think fit may be empowered, upon the return of their agents, to call all the transplanners to one place ; that there it be demanded who are willing to remove by a time prefixed and who not ; that those that signify their consents give assurance for performance by a prefixed time ;

that those that refuse be imprisoned, and sent into Leinster and Munster to be secured, without disturbance to their families or prejudice to their estates, that so all may see that nothing is intended by their removal but present and future security.

“As these parts suffer very much by closing of the ports in order to their trade with Scotland, which we conceive cannot with safety to your affairs here be opened, until those things be brought to some issue one way or other, so the trade into England and alongst the coast also is exceedingly obstructed by some pirates which lie upon these harbours. They came lately into this road and soon after took two vessels, laden with corn and meal, bound for Connaught, out of the harbour of Olderfleet, which by composition, upon licence granted to that purpose, were recovered again. A third was taken coming from Coleraine and a fourth, being one of the poor men's barks that was recovered in Donegal, and laden with meal for Ballyshannon, was taken and sunk by them, because she had no lading in her, so that if your Honours do not speedily cause some swift vessel of good force to come into these parts to secure the passage betwixt England and this place, trade will be utterly at a stand. . . .” Carrickfergus, 14 June. (Signed) Venables, Art. Hill, Hen. Jones. MSS. T.C.D. F. 3. 18.

395. “Ordered that it be referred to the Council of Officers to consider how, and in what manner lands may be set out for satisfaction of the soldiers' arrears, and in what counties, and places such of the soldiers, as are now to be disbanded, and such others of the army, as desire to have lands set out for their arrears, may be fixed to plant, in order to the settlement and security of the country as well as the due satisfaction and security of the respective planters, without prejudice to the interest of the Adventurers; and to report their opinions with all convenient speed to the said Commissioners of the Commonwealth.” 27 June. Orders A/84. 44. f. 248.

396. Ordered that the Commissioners of Revenue in every precinct do take all means for destroying wolves. A reward to be paid for every bitch-wolf of £6, dog-wolf £5, every cub, which preyeth for himself forty shillings, every suckling cub

ten shillings. No wolf after 30th September until 10th January to be accounted a young wolf. 29 June. *Ib.* ff. 255-7.

397. DECLARATION TOUCHING THE SALE OF BEER AND DRUNKENNESS.

All Acts to be enforced, viz. 5 and 6 Edward VI ; 4 James ; and 3 Charles. 29 June. *Ib.* ff. 263-5.

398. THE COMMISSIONERS FOR SETTLING ULSTER TO THE COMMISSIONERS OF PARLIAMENT.

“ In obedience to your order of reference of the 22nd inst. to us and others directed for receiving and debating such papers and proposals as should be offered concerning the Scots, or by the Scottish agents, concerning the intended transplantation of the Scots out of Ulster, and in order to the settling and securing of that province, and for reporting the same to your Honours, with our opinions thereupon, upon consideration had of the whole matter, we humbly offer the proceedings and our sense therein as followeth :—

“ That the necessity of the work of transplantation appearing, we confined ourselves to the debate of the manner how it was to be effected, particularly with respect had to the places whither, the time when, the persons who, and the conditions on which those persons were to be removed. The agents for the counties Antrim and Down being called before us, and we having heard what was by them offered concerning every of those particulars.

“ I. For the place whither they were to be transplanted. The said agents, excepting to the County of Waterford as over-remote, and in general to the places mentioned in the former proposals as over limited, desiring rather to be therein left at large and to their own choice, upon debate it was concluded :—

(1) That of the counties formerly proposed the County of Waterford should be excluded in favour to the transplanted ; in further favour to them, at the request of the said agents, reserving to any of the Scottish merchants of the transplanted, who should desire it, liberty to reside in and trade in the City of Waterford. (2) That such of those who are to be transplanted and provided for on the account of the Commonwealth according to the former proposals, shall be disposed of in the counties

of Kilkenny and Tipperary according to the said proposals. (3) That all others who are not to be provided for by the Commonwealth as aforesaid, and to be transplanted, should be left to their liberty for taking land from any proprietor in the respective counties of the Province of Leinster, respect being had to their numbers in every of the said counties.

“ II. For the time when to be transplanted. It being insisted upon by the agents that it should be deferred until the next year, the season of the year for such a work being now, as they said, elapsed; and it being debated and considered that the giving them the time desired was to give opportunity and time for their designs in the interim, as occasion should be offered, and that therein they might have the opportunity for disappointing the intended security of the Province of Ulster, consisting probably in their removal, and that, if what was to be herein done were not speedily effected, the season of the year would be altogether elapsed as to their accommodations, it was therefore concluded:—(1) That the 15th August next shall be the time limited for the removal of the persons in Ulster thereunto nominated; (2) That the families of those persons so removed as aforesaid, shall also remove out of Ulster to the places appointed them in Kilkenny and Tipperary, or to the places chosen by them in Leinster as aforesaid by the 1st of November next following.

“ III. As to the persons who should be removed. The said agents offered the names and petitions of several whom they conceived not fit to be removed, which being taken into consideration it was resolved that the names in the list last sent, by the Commissioners for settling of Ulster, should stand for the present, and that the persons mentioned in the papers delivered by the said agents of Down and Antrim, together with the petitions mentioned should be referred to Col. Venables, and to such as he shall think fit to consult withal, who are to consider what was to be done according to the rules to be given them in it. This is to be expressed in a letter to Col. Venables, to that purpose. Also on the reading of the Lord of Claneboy’s¹

¹ James Hamilton, 2nd Lord Claneboy and 1st Earl of Clanbrassil had, like the Scots settlers in Ulster generally, incurred the penalty of forfeiture and transplantation by having after the Peace of 1648[-9] joined his forces with the Irish against the Parliament (*cf.* Lowry, *Hamilton MSS.*, p. 97, note). But his defection was of short duration, and having almost immediately afterwards sub-

petition concerning his not removing, it was resolved that nothing therein appeared for altering that formerly ordered for his removal out of Ulster.

“IV. As to the conditions on which those persons were to be removed. It was resolved that those concessions in the printed paper of 23rd May 1653 should be insisted upon as to the matter, yet leaving to the said agents the liberty of offering in writing what they further desired in pursuance of the former, who thereupon tendered their following proposals:—

“1. We desire that, instead of exchanging our estates with any in this country, we may have liberty to dispose of them to well-affected English in the north, and may have the freedom to choose lands here, where we can bargain with greatest advantage.

“Concerning which it was resolved:—(1) The first head in this proposal is granted, provided that the persons to whom the lands in Ulster shall be so disposed, and the conditions on which the aforesaid land shall be so disposed, be such as shall be approved by the Commissioners of the Commonwealth, or whom they shall appoint; (2) The next head in this proposal concerning liberty for making choice of the lands in Leinster, was formerly granted.

“2. We humbly desire two years’ freedom from contribution, from May next, being the soonest we can enter into this country husbandry. Concerning this resolved, that it be offered to the Commissioners of the Commonwealth, that two years’ freedom from contribution be given beginning from May last past.

“3. We desire freedom from subscriptions and oaths for ourselves and ministers.

“To this is answered, that it is not our practice to force engagements upon any contrary to their consciences.

“4. That our wives and families may enjoy half our houses till May next, with liberty to dispose of corn and fodder for the wintering of our cattle.

“For this we refer ourselves to that before related concerning the time of removal.

“5. That we may have liberty to assign our debts warrant-

mitted, he was included in the articles accorded Protestant Delinquents and allowed to compound for his estates. See Documents in *Cal. State Papers, Irel.*, 1647-1660, p. 597.

ably to some who have taken the Engagement, that they may be recovered for our enablement to plant in this country.

"In this they are referred to the practice in England in such cases.

"6. We desire that we may have the use of this year's fallows and dunged lands we have in the north, paying by the acre for them at the rate of the rest of the land. This granted.

"7. That our horses shall not be taken from us. This granted.

"8. That those of our number resolved to drive trade by land or sea may have all the freedom and immunities other free subjects have. This granted.

"9. That we be provided in arms for our necessary defence in the places we come to, and that the protectors, bordering upon our plantations, may make up what goods shall be taken from us by robbers or stealth.

"For this, they shall be allowed their arms, and the same care shall be taken of them as of the Protestant English.

"10. That after November next no quartering of soldiers be upon our families.

"For this they shall be in the same condition with other English and Protestants.

"11. We are likewise required by our Instructions to desire that so many tenants and tradesmen, whom we can persuade to come along with us may have the benefit of the conditions granted to ourselves, and our servants be compelled to come along with us. This granted.

"All which the before mentioned, being the substance of our debates with the said agents in this thing, and our sense in it, we humbly offer it to your Honours, with this our further opinion on the whole matter. That such of those who are to be transplanted as aforesaid, who shall refuse to remove contrary to orders therein given, shall be declared Delinquents and be proceeded against accordingly to the securing of their persons and sequestering and confiscating their estates. (Signed) Wm. Allen, Ric. Lawrence, Hen. Jones, Ph. Carteret." 30 June. MSS. T.C.D. F. 3, 18.

399. Ordered that the overseers of precincts¹ be authorised to treat with merchants for transporting vagrants into some English plantation in America, where the said persons may

¹ Cols. Herbert and Markham.

find livelihood and maintenance by their labour, and to deliver over the said persons to the said merchants accordingly. Said overseers to use all good ways and means that no other persons be taken up or molested by virtue of this Order, but only such as beg and wander up and down the country and have no means to preserve themselves from perishing. 1 July. Orders A/84. 44. f. 261.

400. ADDITIONAL INSTRUCTIONS TO CHARLES FLEETWOOD, LT.-GENERAL OF THE ARMY IN IRELAND, EDMUND LUDLOW, LT.-GENERAL OF THE HORSE, MILES CORBETT AND JOHN JONES ESQS.

“ You are authorised and required, either by Proclamation or otherwise as you shall think fit, to publish and declare that, (for the better security of all those parts of Ireland which are now intended to be planted with English and Protestants, and to the end that all persons in Ireland who have right to articles or to any favour and mercy held forth by any the Qualifications in the Act of Parliament, entituled ‘ An Act for Settling Ireland,’ may enjoy the benefits intended unto them and every of them respectively by the said Act,) it is thought fit and resolved that all and every the persons aforesaid shall before the first day of May, which shall be in the year 1654, remove and transplant themselves into the Province of Connaught and the County of Clare, or one of them, there to inhabit and abide, and shall have set forth unto them and every of them respectively, such proportions of land, and for such estates or terms, and under such conditions, reservations, and covenants as shall be answerable in value unto so much of his and their estates as by such articles or qualifications respectively he or they were to enjoy, in such place and manner as you, or such as shall be authorised by you, shall appoint and direct ; and that whatsoever person or persons aforesaid shall, after the said first day of May 1654, be found inhabiting or remaining in any part of the provinces of Leinster, Munster, or Ulster (except in the said County of Clare), or, without a pass from you or any one of you, or under the hand of such person or persons as shall be authorised by you to that purpose, travelling in any of the said provinces (except the said County of Clare) he and they shall be reputed

as spies and enemies, and shall for the same offence suffer death; and that all and every person and persons aforesaid who shall, at or before the said first day of May 1654, quietly and peaceably remove into the said Province of Connaught or County of Clare shall be pardoned all offences (except all and every person or persons, both principal and accessaries, who since the first day of October 1641 have or shall kill or slay or otherwise destroy any person or persons in Ireland, which at the time of their being so killed, slain, or destroyed were not publicly entertained and maintained in arms as officers or private soldiers for and on the behalf of the English against the Irish, and all and every person and persons, both principal and accessaries, who since the first day of October 1641 have killed, slain, or otherwise destroyed any person or persons entertained or maintained as officers or private soldiers for and on the behalf of the English against the Irish, the said person so killing, slaying or otherwise destroying not being then publicly entertained and maintained in arms as officers or private soldiers under the command and pay of the Irish against the English), and shall be no more molested for the same; provided that none of the persons aforesaid shall be admitted to live in, or enter into any port-town or garrison within the said Province of Connaught or County of Clare, without licence from you, or any one of you or such person or persons as you shall authorise thereunto, nor shall have or keep any arms used in war or ammunition, but that all and every person or persons offending in either of the premisses shall be tried by martial law, and being convicted shall suffer death; provided also that this shall not extend to pardoning, tolerating, or admitting any Popish priest, Jesuit, or other person in orders by authority from the See of Rome; provided also that this shall not extend to the removal of any person who did not adhere unto or join with the rebels before the 15th day of September 1643, and who did at that time and ever since profess the Protestant religion, nor to any woman who, before the 2nd day of December 1650, was married to any English Protestant, provided that such woman do renounce Popery and profess the Protestant religion, nor to any male child or children under the age of fourteen years, or females under the age of twelve, whom any of the English

have already, or shall be willing hereafter to entertain as servants and to instruct and train up in the true Protestant religion, which said persons and children shall be suffered to live in any of the places allotted for the habitation of the English. And you are further to declare that in case any person or persons of the English nation, or any other person or persons professing the Protestant religion, and hath during the late wars in Ireland constantly adhered to the English against the rebels, who hath or have land within the said Province of Connaught or County of Clare, and hath not forfeited the same by rebellion or delinquency, shall desire to exchange the same or any part thereof, or remove themselves into such county or province as are inhabited by the English, that just surveys shall be taken of the lands and estate of such person and persons, and so much, or the value thereof, shall be set out unto them, in lieu thereof, out of the forfeited lands in some other province or county as shall be thought fit.

“You are hereby authorised and empowered to nominate commissioners, and to authorise them to allot unto any person or persons, who by articles granted unto them, or by virtue of the Qualifications in the said Act were to enjoy any part of their estates, a like proportion of land by measure or in value in the Province of Connaught or the County of Clare of the like estate of inheritance or freehold or for the like term of years or number of lives, to be by them held and enjoyed in lieu and satisfaction of such part of their estate, which by such articles or qualifications he or they were to enjoy; and also to grant unto such of the said persons or others as you shall think fit to be leaseholders from the Commonwealth, such convenient parcels of land in the said Province of Connaught or County of Clare as by the said Commissioners shall be judged fit, for any term not exceeding one and twenty years or three lives, reserving to the use of the Commonwealth, upon every such demise such reasonable rents as with respect to the values of the said lands in the year 1640, shall be by you thought fit.

“You are hereby authorised to give order and direction for the speedy removal of all or any the persons aforesaid unto the lands so allotted unto them, in such numbers and proportions as may consist with the safety and security of the rest of the inhabitants,

so as all the said persons be so removed before the first day of May 1654, and within two months after the respective allotments so made, and directions given them by you to take the same into possession. Whatsoever person or persons, so to be removed as aforesaid shall, after the said first day of May 1654, be found in any part of the provinces of Leinster, Munster, or Ulster (except the County of Clare) or any way, without such pass as aforesaid, travelling in any of the said provinces (except in the said County of Clare), or inhabiting or being in any port-town or garrison within the said Province of Connaught or County of Clare without such licence as aforesaid, or having any ammunition or arms used in war, all and every such person and persons shall be tried by martial law, and being convicted of such offence shall suffer death.

“And you are hereby authorised from time to time to issue out commission for the speedy apprehending, trial and execution of such offenders.

“You are also to authorise the said commissioners to cause exact surveys upon oath to be made of the lands, tenements and hereditaments of such person and persons of the English nation, or other persons aforesaid in Connaught or in the County of Clare as shall desire such exchange as aforesaid, which being returned unto you, you shall, out of the lands forfeited to the Commonwealth or the lands, tenements, or hereditaments of the persons so removed, cause lands, tenements or hereditaments of the like quantity or value in such other province or county as you shall think fit to be set out unto such person and persons to be enjoyed for such estate or term and under the like covenants, conditions and reservations as such lands, tenements or hereditaments in the said province or county, and so exchanged, were held, and shall cause an exact particular thereof, with the survey aforesaid, to be returned to the Register for the said forfeited lands to remain of record.

“You are hereby authorised to set out unto John Blackwell,¹

¹ John Blackwell was one of the two Deputy-Treasurers-at-War in Ireland. He owed this favour of picking his lands to the personal friendship of Cromwell, and chose 4000 acres near Dublin, said to have been worth about £60,000 to £80,000 before the war. The privilege extended to him involved him in much trouble at the Restoration, owing to the fact that his name as an Adventurer did not appear on the vouchers at Grocers' Hall. A very determined attempt was made to dispossess him, and in 1665 he was arrested on the charge of being a “fanatic.” But Lord Kingston interested himself in his behalf, and though

the younger, of Mortelack [Mortlake] in the County of Surrey Esq., his heirs and assigns in satisfaction of the sum of £2350 advanced in several sums by way of Adventure upon the proposition for rebels' lands in Ireland and assigned unto him, so many acres of meadow, arable and profitable pastures of the said forfeited lands (together with the bogs, woods and barren mountains thereunto belonging) as are due unto him according to the proportions and rates for the respective provinces in the Act of Parliament in that behalf expressed, and the measure allowed by the respective Acts and Ordinances, upon which the said several sums were advanced respectively, in such place and places as the said John Blackwell, his heirs or assigns, or his or their trustees in that behalf appointed, shall make choice of and desire within the counties of Dublin, Kildare, and Cork, or any other county which is not particularly by these Instructions, nor shall be by you in pursuance thereof, designed and set apart for the satisfaction of the Adventurers and soldiers, and not being by any Act, Ordinance, or Order of Parliament, or by authority derived from Parliament, set out, allotted, or granted to any particular person or persons ; and to put the said John Blackwell, his heirs or assigns or his or their trustees into the possession of the premisses so to be set forth and allotted to him, to be by him, his heirs and assigns held and enjoyed in as full and ample manner, and with the like advantages, liberties, and privileges as any the Adventurers for lands in Ireland may and ought to hold and enjoy the lands set forth unto them, and as if the same lands and premisses so set forth unto the said John Blackwell, his heirs and assigns had come unto him or them by lot ; and that you cause an exact survey upon oath to be made of the premisses in writing and returned unto the Register for the said lands to remain of record. Signed in the name and by the order of the Council of State. Math. Thomlinson, President. Whitehall." 2 July 1653. Commissions and Instructions A/27. 25. ff. 21-28.

401. Upon information that the County and City of Limerick are so much impoverished by the war, that the inhabitants are

obliged to surrender part of the estate he had acquired to Richard Butler of Kileash, he was apparently in the possession of lands near Dublin in 1670, when he sold 295 acres to Sir Joshua Allen.

unable to bear the defects of other places in that precinct, and to subsist in a condition to pay contribution for the future, and preserve their families from starving, it is ordered that the defects of Clare for the half-year commencing 1st May and ending 1st November be supplied out of the moiety of the tithes within the said precinct not appointed for the maintenance of hospitals. 6 July.¹ Orders A/84. 44. f. 271.

402. Upon consideration had of the Report made unto us the 30th June, by virtue of reference of the 22nd of the same month to Sir H. Waller, Sir C. Coote, Cols. Sankey, Lawrence, Axtell and others, for debating the intended transplantation of some of the Scots out of Ulster, it is ordered :

1. That of the counties formerly proposed for their settlement, Waterford be omitted ; but if any desire to reside there they may do so provided they engage to do nothing prejudicial to the Commonwealth.

2. The date for persons named in the list to remove out of Ulster to be at or before 1st November next ; for the families of those so removed to places in Kilkenny and Tipperary, or to places chosen by them in Leinster, to be at or before 15th April next.

3. The persons to be removed to be referred to Cols. Barrow and Venables, Majors Francis Bolton,² Dan. Redman³ and Capt. Bickerstaff, who are authorised to dispense with the removal of any whose names are on the list ; provided the dispensation be not extended to any person that contrived, counselled, aided or assisted the siege of Londonderry,⁴ then defended by the English under Sir C. Coote, nor to any that counselled, aided or assisted the removal of Colonel Monck from his command in County Louth, nor to any person or persons that have acted, counselled, aided or assisted in the war against the Parliament of England, their army or forces.

¹ June in original.

² Major Francis Bolton, described, by Ludlow, as "a brave and diligent officer," took part with him in the capture of Ballinasloe Castle in 1651. He was a strong parliamentarian, and being sent to England in 1659 with the Irish Brigade, the ship in which he sailed sprang a leak and he was drowned.

³ Major Daniel Redman, a '49 officer, was Commander-in-Chief in co. Down in 1655. He afterwards joined the Coote-Broghill party, and was appointed by Monck to command the Irish Brigade in England. He acquired Ballylinch near Carrick-on-Suir, co. Tipperary. His eldest daughter and co-heir married James Butler, 3rd Viscount Ikerrin. See also note, p. 468.

⁴ See Carte, *Life of Ormond*, ii, p. 77.

4. As to the conditions on which those persons are to be removed, it is ordered that the concessions in the printed paper of 23rd May 1653,¹ held out by the Commissioners for the settling of the province of Ulster, shall be and are hereby ratified ; and in addition, it is ordered :

1. That they have liberty to dispose of their respective estates in the counties of Down and Antrim, respect being had to the Qualifications of the Act for Settling Ireland, under which they fall, and that the persons to whom the lands are disposed shall be approved by us.

2. That from May last past they shall have two years' freedom from contribution.

3. As regards their desire to be freed from subscriptions and oaths it is our principle (and we trust the Lord will enable us to make it our practice) to use all tenderness to tender consciences.

4. Their wives and families to use their houses, wherein they now are, till 15th April next, and to dispose of their corn and fodder for the wintering of their cattle.

5. They may sue for debts, even if they have not taken the Engagement ; provided they obtain a licence from Col. Venables.

6. For such lands as are fallowed and dunged this year the benefit thereof shall be granted them for the next crop.

7. Whereas they desire that their horses may not be taken from them, they shall be therein in the same condition with other English.

8. They shall have all the liberties of English to trade by land and sea, they undertaking to do nothing prejudicial to the Commonwealth.

9. As to their desire to have arms to protect themselves, they shall have all the protection that is afforded to English Protestants.

10. As to their desire that after November next there shall be no quartering of soldiers or their families, they shall be in the same condition as English Protestants.

11. As to tenants and tradesmen willing to remove with them, they shall have the same privileges. 13 July. *Ib.* ff. 284-7.

403. Whereas by virtue of a commission ² under the Great Seal of England, bearing date at Westminster 22nd June last past, to

¹ See p. 339, note.

² Wanting in the collection.

the Commissioners directed, wherein, amongst other things, the said Commissioners are authorised and required to cause proclamation to be made in every county of Ireland, that every person, or the heirs, executors or assigns of such persons, who on the 23rd October 1641 had any lawful right, title or interest in or out of any lands of any of the rebels in Ireland, or any the lands forfeited and come to the Commonwealth by several Acts of Parliament made in England since the beginning of the late bloody Rebellion in Ireland, lying within the county where any such proclamation shall be made, that, within twenty days after the said proclamation shall be made in the said county, shall enter his and their claims to the same before such persons as by the said Commissioners shall be authorised to receive the same, the said Commissioners do hereby declare that to the end the Adventurers, officers and soldiers may the sooner receive satisfaction out of the said forfeited and other lands belonging to the Commonwealth as abovesaid, and that such as have any right or title thereto may not be prejudiced, but their titles and pretensions be heard and determined in such manner as by the said Commission is set forth, it is ordered, and the said Commissioners do hereby declare that every person or the heirs, executors, or assigns of such person, who on 23rd October 1641 had any lawful right etc. shall and may and are hereby required to enter his and their claims to the same in writing, with as much certainty and exactness as they may, and the same deliver unto the Commissioners of Revenue of the respective precincts in Ireland, wherein such lands do lie, and the said Commissioners of Revenue are hereby authorised and required to receive the same, and to sign and cause to be endorsed upon every such claim the day the same was so delivered, and to cause the same to be safely returned to the said Commissioners of the Commonwealth by one of themselves, or by such as they shall appoint, who may take an oath etc. And it is hereby further ordered that the Commissioners of Revenue shall and may, within their respective precincts, cause this Declaration to be forthwith published in every county and at such places in every county, as they shall judge fitting, so as all people may have due and timely notice hereof. 15 July. *Ib.* ff. 300-1.

404. Ordered that the grievances complained of by the

inhabitants of County Tipperary as to assessments¹ be inquired into. 18 July. *Ib.* ff. 316-319.

405. Ordered that the inhabitants of County Cork who have been active in prosecuting Tories, be rewarded out of the estates of the latter in that precinct. 21 July. *Ib.* f. 327.

406. Whereas the late Lord Deputy, Ireton, published a Declaration, bearing date 1st May 1651, wherein all officers and soldiers of the army are strictly forbidden to intermarry with any of the women of this nation, that are Papists, or with others that are or have lately been Papists (whose change of religion is not or can be judged to flow from a real work of God upon their hearts), upon penalty of being cashiered the army and made incapable of further preferment, and as this Declaration has been since renewed, the Commissioners of Revenue are hereby required to inquire how far it has been observed. 22 July. *Ib.* ff. 341-2.

407. THE COMMISSIONERS TO THE PARLIAMENT.

“Whereas through the blessing of God and the endeavours of your forces here, the power of the enemy is in a good measure suppressed, and very many of the eminent actors in the murders and massacres cut off by the sword of justice and of war, and about 20,000 lately transported, and about 7000 now transporting into foreign nations, and consideration being had thereof, and of the great destructions in all parts of the nation, so as many counties are without inhabitants, and the whole country miserably wasted and destroyed, we conceived it our duty to endeavour the lessening of the charge of the Commonwealth by disbanding so many of your forces as might be spared (regard being had to the security of your Interest here), and having formerly given notice thereof to the Parliament and Council of State, with our humble desire of passing the Bill for giving satisfaction to the soldiers for their arrears, wherein (as we are informed) some good progress was made, but by reason of the great affairs lately happening, there could be no sudden despatch of that Bill. But finding necessities to press upon us here daily, we have consulted with very many of the

¹ See No. 391, note.

officers and commanders of your army, called from all parts of the nation to the head-quarter to that purpose, and advised with them both of the number that could (with safety to the whole) be well spared, and of the best way and means to give such as should be disbanded satisfaction for their arrears. The result whereof will appear by the enclosed papers and resolutions.

“ And finding a general consent and approbation of those proposals amongst the officers, and there appearing no better way to us to give any reasonable satisfaction of the arrears, we intended so far to approve of them, as to proceed to the disbanding of the number of forces therein propounded, and to assign them satisfaction in lands for their arrears, and to set out the same by the nearest estimate that could be made, to be enjoyed by them *de bene esse*, upon the terms proposed, until the supreme authority of the Commonwealth were convened, and did signify their further pleasure for the confirmation or alteration of the same, and more exact surveys taken of the lands. And having begun to put the disbanding, and the way for satisfaction of arrears into a way of execution, and many of the officers being returned to their several charges, we lately received a Commission ¹ under the Great Seal of England, with Instructions thereunto annexed, for setting out lands in satisfaction of soldiers’ arrears, which to the utmost of our power shall be duly observed by us. But by reason the former proposals and resolutions (as is before set forth) are, in some things, inconsistent with some of the Instructions annexed to the Commission, we do find ourselves in some straits and difficulty and do humbly propose the same unto you.

“ First, we find the present Instructions sent us do give us power to satisfy such arrears only as incurred since June 1649; and most of the forces, which, for many reasons appearing unto us, seemed most fit to be first disbanded were such as have been of longest continuance in your service and have most of them interest in this nation, and have most considerable arrears due to them before June 1649. Neither is there any power given us for satisfying any others for their services done in England. Besides the power now sent us limits us to five counties, which answers not the proposition made by the Council of officers in that particular.

¹ 22 June 1653.

“Second, we find the baronies in the County of Cork and the barony in the County of Louth, propounded for the places in which some of the soldiers now to be disbanded were to have their lands in satisfaction of their arrears, to be, by the said Instructions, reserved for other uses. But we conceive it of advantage to the Commonwealth that the soldiers, now to be disbanded, should be settled in those quarters where they have served and are best acquainted, and that it will be a succour and encouragement to such English, as come over to plant upon any account, to have those that served in arms to plant amongst them. And whereas the power to state the accounts of the soldiery in Ireland by the late Act reacheth but to August last, it is humbly proposed that power be given to state all arrears till the 8th of August now next ensuing.

“Third, by the Instructions sent us provision is made for such as have right to forfeited lands to make their claims within twenty days after publication; but there is no direction given to bar those claims that are not made.

“P.S.—The enclosed paper [wanting] from the Commissioners for stating the accounts of the soldiers, states the defects in the Act lately passed for that service, which we desire may be supplied.” 22 July. Domestic Corresp. A/90. 50. ff. 517-519. *Enclosed.*

407 (i). THE PROPOSALS OF THE OFFICERS FOR DISBANDING, AND TOUCHING PLACES FOR ANSWERING THE ARREARS.

“At a general Council of Officers held at Dublin Castle the 9th of June 1653, the General being President, and the officers hereafter nominated present, viz. Lt.-General Ludlow, Major-General Sir H. Waller, Sir C. Coote, Cols. Theo. Jones, Sankey, Axtell, Barrow, Phaire, Foulke, Sadler, Lawrence, Advocate-General Carteret, Auditor-General Roberts, Lt.-Cols. Brett,¹ Disney, Warren,² Flower,³ Majors Morgan, Bolton, Meredith,

¹ Lt.-Col. John Brett, a '49 officer, noted, according to Ludlow, for his zeal for Cromwell, was joined (Dec. 1659) with Col. Redman in command of the Irish Brigade in England. He afterwards returned to Ireland and obtained a command in Sir John Clotworthy's regiment of foot. In 1661 he was returned M.P. for Thomastown borough, co. Kilkenny.

² It is very difficult to distinguish the different Cols. Warren serving in Ireland. There was a Col. William Warren in the Confederate army, who conducted an Irish regiment into England to assist the King. Then there was the

Smith,¹ Aske, Walters,² Jones, Richardson,³ Ormsby,⁴ Stanley.⁵ Resolved :

“ That it be offered to the Commissioners of the Commonwealth that all arrears, both English and Irish, be stated to the time of disbanding.

“ That such as are to be disbanded be put in present possession of lands, by estimation sufficient to satisfy their arrears, according to such rates, rules and instructions as have been lately voted by the Parliament for satisfaction of soldiers’ arrears in Ireland ; and, if any other rates, rules and instructions shall be hereafter held forth for further advantage to the soldiers, in order to the satisfaction of their arrears in Ireland, that the benefit thereof may be extended to such as are now to be disbanded, and the said lands may be enjoyed by them *de bene esse*, until the said rules and instructions be put in execution, and the said lands admeasured and set out unto them

abovementioned Col. Warren, who served the Commonwealth and who, in the commotions that preceded the Restoration, at first sided with Coote against Ludlow and then went over to Sir Hardress Waller. He is probably to be identified with the Col. Edward Warren who was arrested for disaffection by Coote in October 1660, and who was afterwards executed in July 1663 for his share in Blood’s plot. See a curious note in Prendergast, *Cromwellian Settlement*, p. 267.

³ (p. 365) Lt.-Col. Henry Flower, a ’49 officer, was the son of Sir William Flower and grandson of Sir George Flower, the first of the family to settle in Ireland in Elizabeth’s reign. He was a Coote-Broghill man and prepared the way for the Restoration in Ulster. The lands he received in satisfaction of his arrears he sold to Viscount Shannon. He married in 1654 Anne Hawtrey, and died without issue in 1678.

¹ Major Bryan Smith served both in England and Ireland on the side of the Parliament, in Fleetwood’s regiment of foot, and was one of the Commissioners for the surrender of Limerick. He obtained satisfaction for his arrears in the barony of Glenarm, co. Antrim ; but having apparently opposed the King’s Restoration and been imprisoned for several months, he sold his interest and left the country.

² Major George Walters was afterwards actively engaged in transporting the Irish to Spain. He received his satisfaction in co. Cork and exerted himself to establish an English settlement on his property at Bantry. He was included in the general pardon at the Restoration and afterwards appointed governor of the fort at Bantry (cf. *Cal. State Papers, Irel.*, 1660, p. 241 ; 1661, p. 283).

³ Major Richardson settled down near Lisburn, where he kept a famous racing stud.

⁴ Major Robert Ormsby of Sir C. Coote’s regiment, described by Ludlow as “ an officer of courage and honesty,” was arrested and imprisoned in 1659 for some time by Coote for opposing the Restoration. He afterwards settled down at Redhill in co. Mayo.

⁵ Major Thomas Stanley, sometime Governor of Clonmel, ran a course with Ormsby and Warren, and like them was for some time imprisoned by Coote for disaffection to the Restoration.

accordingly, and if the lands so estimated fall short upon survey, the same is to be made up unto them out of other lands.

“ That if such estimate upon such admeasurement falls to be more than their proportion, then to pay for the same in money after the rates paid by them for their arrears ; and that the papers and reasons formerly offered to the Parliament, touching the rates and ways of giving satisfaction to the soldiers in lands, be recommended to such as are in authority in England to be considered of by them, and wholly left to their determination.

“ That such officers and soldiers as shall be put into present possession of lands upon their disbanding, as is mentioned in the foregoing propositions, may enjoy the same upon the terms following, *i.e.* that such lands as have lain waste, and yielded not any rent or assessment to the Commonwealth upon the 1st of February last may¹ be enjoyed by them until 1st November 1654, free from payment of any rent, tythe, tax or assessment to the Commonwealth for the same, and afterwards upon such terms (in relation to public taxes and charges) as the Adventurers are to have for the enjoyment of their lands ; and that such lands, as did yield rent or assessment to the Commonwealth upon the said 1st February last, may be enjoyed by them chargeable with the highest rent or assessment that the same was liable to pay to the Commonwealth upon the said 1st February last, until there be a general settlement of lands unto the soldiers for their arrears : and that then they may enjoy the same according to the said general settlement.

“ That such as are now to be disbanded may be advised to plant together and not dispersedly, if it may stand with the convenience of their own affairs, *i.e.* the officers and soldiers of each troop and of each company together for their better security and the maintenance of the public peace, and their respective interests.

“ That indemnity be held forth to such as served the Commonwealth for what they acted in time of war in Ireland, in pursuance of their duty, or for the service of the Commonwealth, that they may not be molested for the same in Civil

¹ The document breaks off here abruptly. The remainder is supplied from *Mercurius Politicus*, p. 2557. I owe the reference to Professor Firth.

Courts of Justice ; and to that end that the Acts, Ordinances, and Orders of Parliament may be pleaded in Ireland.

“ That the commissioned officers to be disbanded shall have one month’s pay.

“ That the non-commissioned officers and soldiers which are to be disbanded shall have six weeks’ pay.

“ That it be proposed that 5000 foot be at present disbanded.

“ That it be proposed that 3000 horse and dragoons be at present disbanded.

“ That out of the 5000 foot and 3000 horse and dragoons to be reduced, the forces which are to stand be made up 18,000 foot and 5000 horse, and 1000 dragoons.

“ That Quartermaster-General Vernon go as an agent into England, to solicit the concernments of the army.

“ That it be proposed to the Commissioners of the Commonwealth that such officers and soldiers as shall be reduced may have liberty to set up and follow their several callings in any city or town in Ireland, without oaths or other molestations.

“ That it be proposed to the Commissioners of the Commonwealth to write to the authority in England for a confirmation of the lands, which the soldiers shall be allotted for their arrears.

“ That if lands assigned for the satisfaction of arrears shall not prove the State’s, and be otherwise encumbered, that in such cases they may be repaired in every particular by the State.

“ That it be proposed to the Commissioners of the Commonwealth to consider the condition of wounded soldiers, orphans, and widows

“ That there be care taken for present satisfaction of the officers formerly reduced, cashiered, or discharged by Courts-martial with the rest that are now to be disbanded.

“ That it may be offered to the Commissioners of the Commonwealth that the officers and soldiers may have sufficient timber allowed them out of the State’s woods for building, and ploughboot, for the better carrying on of the plantations.” 9 June.

408. Ordered that Lord Broghill be authorised to transport such of the Irish, as now are or have been in arms against the Commonwealth of England and their forces in Ireland, into any parts beyond the seas in amity, except two or three persons, now standing out, who have most eminently violated

the protection ; and likewise to permit some of the said men, who shall so submit, not exceeding sixty, to use their arms for three weeks for the reducing and bringing in of others of their party, they first giving hostages ; provided such persons so transported be not guilty of blood, and that the work be performed without charge to the country. 27 July. Orders A/84. 44. f. 353.

409. Whereas the Commissioners are informed that many officers and soldiers, who have faithfully served the Commonwealth in Ireland, are seduced by the insinuations of covetous minded persons, who, for lucre sake, lie in wait to purchase the poor soldiers' dearly earned wages, to make sale of their Debentures¹ for very small and inconsiderable sums of present money, to their own and the State's detriment ; and it being in the intentions of the Commissioners to put the soldiers into possession of the lands due unto them for their arrears, with all possible expedition, and in the meantime to make the best provision they can for their present subsistence, the said Commissioners, by the advice, and at the desire of the Council of Officers on behalf of the soldiers, do order that no persons, who shall have their accounts stated and Debentures given them by the Commissioners appointed, shall from and after the date hereof make sale of, or assign over his or their Debentures, or any part thereof until the Parliament signify their pleasure touching the same. If Debentures are bought after this order they will be treated as null and void. 28 July. *Ib.* ff. 354-6.

410. Whereas it was authorised by the Act of Parliament of 20th August 1652, that claimants for Debentures must render their accounts to the Commissioners personally, it is now ordered, in order to obviate the inconveniences that would thus arise, that the Commissioners of Accounts are to give Debentures on letters of attorney from officers and soldiers. 30 July. *Ib.* f. 360.

411. Ordered that Lord Broghill, Sir H. Waller, Cols. Sankey and Lawrence with others be appointed a standing Committee

¹ According to Petty, *Pol. Anatomy*, p. 20, Debentures were at this time being sold in open market at from four to five shillings per £1.

at Cork House, to consider all matters referred to them by the Commissioners of the Commonwealth, and to offer to the said Commissioners how oppressions may be removed and redressed, how trade may be advanced, and the work of transplantation managed and carried on with most advantage to the Commonwealth. 1 Aug. *Ib.* f. 364.

412. MATTERS REFERRED TO THE STANDING COMMITTEE AT CORK HOUSE.

1. What fit to be done as regards the propagation of the Gospel? 2. What to be done in regard to the settlement of Ireland? And, if it is advisable to transplant Irish, to consider (a) what is necessary to be done in those counties and places to which they are to be transplanted? (b) Whether it be advisable that all Irish Papists be removed, except those that dwell in those counties and places into which the said removal is to be made, or only out of some counties as Kerry, Wexford, Waterford etc., and only the landed and popular men from other places? (c) The time to be given them. (d) When the transplanting ought to be begun? Further to consider how encouragement may be given to the English, who have always been faithful. What inducements be offered to the Irish to abandon their religion? How priests etc. may be removed? What relief for widows and orphans, and the removal of oppression? 1 Aug. *Ib.* ff. 365-6.

413. Ordered that persons possessing estates in several precincts, who cannot conveniently urge their claims in each, be permitted to hand in their claims to the Commissioners of Revenue at Dublin. 3 Aug. *Ib.* f. 388.

414. Ordered that soldiers be indemnified for all acts of war. 5 Aug. *Ib.* ff. 390-1.

415. Ordered that Cols. Venables and Barrow be authorised to receive Irish not guilty of blood into protection. 5 Aug. *Ib.* f. 392.

416. Ordered that Cols. Venables and Barrow be empowered to open trade between Ulster and Scotland. 5 Aug. *Ib.* ff. 393-4.

417. Ordered that Lord Enniskillen and Lt.-Col. O'Neill be authorised to raise 1200 Irish to be transported into Spain. 24 Aug. *Ib.* f. 519.

418. Ordered that a Committee be appointed to inquire of all surveys of lands in Connaught and Clare in or since the time of Queen Elizabeth. 31 Aug. *Ib.* f. 534.

419. THE COMMISSIONERS TO MESSRS OWEN, LOCKYER¹ AND JENKIN LLOYD.

"We need not tell you of the great want of fit and able ministers for preaching the Gospel in this country. From our deep sense of it we formerly invited several to that work ; but (to our saddening) find but a slow compliance. We do understand the inclination of some others for coming over ; but most of them are strangers to us, so that we have enclosed these several letters [wanting] directed to them, desiring that you would inform yourselves of them and their abilities, and as you shall find them qualified for the work to cause their letters to be sealed and sent unto them, with such further inducements of your own as you shall conceive fit. We commit us all and our poor endeavours to the Lord, in whom we are your very loving friends." 31 Aug. Domestic Corresp. A/90. 50. f. 530.

420. Ordered that the inhabitants of Galway be freed from the assessment that falls on them owing to the absence of certain of the said inhabitants. 7 Sept. Orders A/84. 44. f. 558.

421. Ordered that Sir C. Coote be allowed to employ Irishmen for carrying on his iron works. 14 Sept. *Ib.* f. 571.

422. Ordered that the Sergeant-at-Arms do cause to be melted down the old mace, sword, scabbard and privy seal formerly belonging to the Deputy and Council. 19 Sept. *Ib.* f. 581.

¹ Nicholas Lockyer, a graduate of Cambridge, known as a powerful preacher by his "Fast" sermons before the House of Commons, was one of the Commissioners appointed for the approbation of public preachers. In 1658 he was made provost of Eton ; but ejected from that office at the Restoration. He died at Woodford, Essex, in 1685, having accumulated considerable property both in England and Ireland, the latter as an Adventurer for £100. See *Life in Dict. Natl. Biog.*

423. Whereas by an Order of 16th September the governor or chief commander of each county in Ireland were empowered to grant licences and passes unto the servants of proprietors of corn growing and being without the line, for the reaping, inning, or threshing of the said corn, or bringing it within the line, as in the said Order is more particularly directed and expressed, it is now further ordered that the time granted for the same exceed not the space of one month from the day of the date hereof. And in case any such corn shall be found after that time without the line (except secured within the command of some garrison) the same shall be forfeited to the Commonwealth. 21 Sept. *Ib.* f. 592.

424. Ordered that the Earl of Westmeath be licensed to transport a regiment of Irish foot into Spain. 28 Sept. *Ib.* f. 585.

426. THE COMMISSIONERS TO THE COMMITTEE OF PARLIAMENT FOR IRISH AFFAIRS.

“ . . . We have written to the Parliament, and therein presented the difficulty of pursuing the late Instructions according to the letter of them, and how we intend to proceed until their further pleasure be made known unto us. In the meantime we have published the Instructions, and have sent commissions into each county in Ireland to inquire, by the nearest estimate and testimony upon oath, what lands each proprietor hath in every barony, the quantity and value thereof, who were the respective owners in the year 1641, and who claim the same now etc., which commissions are now in expectation; and we are now preparing commissions and instructions to send out in pursuance of the enclosed [wanting] votes.

“ We have likewise written to the Council of State to know their pleasure how far the Articles upon the surrender of Galway are to be made good, the same being not yet confirmed by Parliament that we know of. It is necessary to give some resolution concerning them, because much of this work of removal will depend thereupon; for, if the Articles be confirmed, all the forfeited lands in the County of Galway, and two-third parts of the forfeited lands in the province at

large will be thereby given to the Irish and other delinquent proprietors, most of the proprietors of that province being included (as is conceived) in those Articles; and if so, the lands in the Commonwealth's dispose within that province and Clare will probably fall much short of giving satisfaction to the Irish proprietors of the other three provinces, according to the Act of Settlement. We desire your favour for a resolution in this particular and that you will be pleased to communicate your advice to us in this important affair as often as you have opportunity." 7 Oct. Domestic Corresp. A/90. 50. f. 541-2.

426. SAME TO CAPTAIN ROBERT STORY.

"We have intelligence of a design in France for some attempts upon Ireland, and that Prince Rupert, with some Irish commanders, is in some readiness to put to sea for the management of it, and not conceiving it safe to be too secure in a business of that consequence, if it should be real, we desire you, with the first opportunity of wind and weather, to sail with the frigate under your command to the west of Ireland, there to ply constantly to and fro between the Old Head of Kinsale and the mouth of the Shannon. . . ." 12 Oct. *Ib.* f. 540.

427. Ordered that Colonel Hercules Loe be licensed to raise 2100 Irish foot and transport them into Spain. 19 Oct. Orders A/84. 44. ff. 640-2.

428. Ordered that Colonel Edmund O'Dwyer be licensed to transport 3500 Irish into Flanders. 19 Oct. *Ib.* f. 642.

429. Monthly assessments as settled from 1st November till 1st May following :

Precinct	Monthly Assessment	Monthly Forage
Dublin . . .	£3600 0 0	£614 3 4
Wexford . . .	750 0 0	137 10 0
Belfast and London-		
derry . . .	4150 0 0	760 10 0
Galway . . .	3200 0 0	504 3 4
Waterford . .	570 10 0	78 0 4
Limerick . . .	1700 0 0	293 6 8

Precinct	Monthly Assessment	Monthly Forage
Kilkenny . . .	£1700	£311 13 4
Clonmel . . .	3150	513 6 8
Cork . . .	3200	586 13 4
Athlone . . .	900	165 0 0
Kerry . . .	600	110 0 0
Belturbet . . .	1250	229 3 4

Total assessment *per mensem* £24,790: total forage £4303. 10. 4. 20 Oct. *Ib.* ff. 649-57.

430. THE COMMISSIONERS TO THE COMMISSIONERS FOR ARTICLES.¹

“ We received your letter of the 22nd August last, with a copy of the petition of the Mayor and Corporation of Galway enclosed, whereunto we return you this answer—That when the Articles of Galway were first made and concluded, those who were then in chief authority here declared their sense and dissatisfaction therein to the then Parliament and Council of State, and about a week since we sent another letter to the Council of State with duplicates of the former letter, papers, Articles and Exceptions, and do suddenly expect their result and pleasure thereupon, it being a matter, in our esteem, of very high concernment to the public, in order to the great work of transplanting the Irish into Connaught. We shall not need to enlarge at present.” 21 Oct. Domestic Corresp. A/90. 50. f. 551.

431. “ Whereas Captain John Vernon, being employed from the said Commissioners into England, hath by an engagement under his hand, bearing date the 14th September last, promised to Mr David Sellick and Mr Leader that they should receive an order, upon their application to the said Commissioners, for receiving (by themselves or their agents) 250 Irish women, above the age of 12 and under the age of 45 years, and also 300 men above the age of 12 and under the age of 50 years, in the several parts of Ireland, within twenty miles of the towns of Youghal, Cork, Kinsale, Waterford and Wexford, to transport them into New England, thereupon they have appointed their shipping to repair unto Kinsale. And whereas

¹ In England.

the said Commissioners are advertised by the Lord Broghill that the said number of Irish persons, both men and women, may probably be had in the County of Cork, who now live like beggars and vagabonds, and follow no lawful vocations, these are therefore to authorise the said Roger Lord Broghill, to cause search to be made within the said County of Cork for all persons of the Irish nation, that are rogues, vagabonds, idlers and wanderers, and such as have no means to get their livelihood by labour or otherwise, or such as being able to labour shall refuse so to do, and such persons to cause to be apprehended, taken and delivered unto the said Sellick and Leader, or their agents, according to the said engagement mentioned, and as may answer the same for transporting the said Irish into New England as abovesaid ; provided that no person be taken or molested by colour hereof that hath any means by himself or friends to support and maintain himself, or that is a labourer or husbandman, or by any lawful ways and means is able to provide for and maintain himself ; and provided that no person, being once apprehended, be discharged, but by special order in writing under the hand of the said Lord Broghill. The said Mr Sellick and Leader being at all charge of providing for them and conducting them to the waterside, and maintaining them well from the time of their receiving them, and the Commonwealth to be freed from all charge therein." 25 Oct. Orders A/84. 44. ff. 663-4.

432. THE COMMISSIONERS TO CAPTAIN WEBB,¹ ENGINEER.

"We have lately had under consideration the repairing several forts and garrisons in Connaught, the particulars whereof we have sent you enclosed. . . ." 31 Oct. Domestic Corresp. A/90. 50. f. 554. *Enclosed*.

432 (i). The names of garrisons to be erected in Connaught. On the Shannon, County of Galway, Banagher, where there

¹ Capt. William Webb obtained a grant along with Thomas Whitmore in 1631, renewed to Webb alone in 1634, of all mines of gold, silver, and copper in Munster for 21 years at a rent of 20 per cent. It was reported that he had been removed from his post of engineer for disaffection in 1649 ; but he was continued in office by the Commissioners of Parliament and was afterwards employed along with Worsley, Petty, and Symner in allocating lands.

is a small fort, which must be made better or rather a castle built. County of Galway, Garorgh [? Carroroe], where there must be a good fort made or rather a castle. County of Mayo, Ballunhinny [? Ballindine], where a fort must be made or a castle built. On the passes from Galway to Sligo, Bellaghi [? Bellahy], where a good fort or castle must be erected. The Owles and County Mayo, Askell [? Achill], where a fort or castle must be erected; Raffran [Rathfran], where there must be a fort or castle built. County Sligo, Castle Conner, which is demolished; Portenade [?], where there must be a fort or castle built; Mullaghmore or Milkhaven, where a fort or castle must be built. On the Shannon, County Roscommon, Bellaknaw [?] near Clonmacnoise, where a fort or castle must be built; Bellaleag [Ballyleague], where a fort or castle must be built; Termonbarry, where there must be a fort or castle erected; Cam Island, where a fort or castle must be built. On the Shannon in County Leitrim, Harbour Burchall [?], where a fort or castle must be built; Doobally [near Manor Hamilton], where there is only a slight fort; Moghill [Mohill], where there is only a slight fort. *Ib.* f. 554.

433. Ordered that witnesses against murderers etc. be freed from transplantation, as it is impossible for them to live in Connaught and Clare with safety. 4 Nov. Orders A/84. 44. f. 711.

434. Whereas Colonel Edmund O'Dwyer has been licensed by the Commissioners to raise and transport 3500 Irish, for the service of the Prince of Condé, it is thought fit and ordered that he be permitted to transport such priests, Jesuits and other persons in Popish orders who are still in Ireland. 4 Nov. *Ib.* f. 712.

435. THE COMMISSIONERS TO THE COMMANDER-IN-CHIEF OF EACH PRECINCT IN IRELAND.

“ The consideration of the great and important affairs now lying before us concerning the transplantation of the Irish, and giving satisfaction to the Adventurers and soldiers, the provision of the army, the settlement of the nation in justice and truth, and indeed the laying of a foundation for future

generations, and repairing many breaches in this poor waste, desolate country, and the sense of the very many difficulties that do attend all these, and our own unworthiness and manifold weaknesses for such and so great services (for, in us is neither wisdom nor strength for such matters, neither do we know what to do herein, and we may truly say the children are now come to the birth and much is desired and expected, but there is no strength to bring forth), and also considering the many straits and difficulties our dear friends and brethren now in England are in, and finding it our duty and a thing well pleasing to our heavenly Father that his children should, in all their wants and necessities, have recourse unto the Throne of Grace, and lift up prayers with strong crying and tears unto him, to whom nothing is too hard, who hath been of old and to this day also is seen in the Mount, who bids us ask wisdom of him and giveth liberally and upbraideth no man and bids us seek his face evermore, and if we do seek him he will be found of us, if we seek him with all our hearts and with all our souls.

“ Upon these considerations we have appointed Tuesday the 15th of this inst. November to be set apart for the solemn seeking of the Lord in these things, and we do desire you to give notice hereof to those with you in those parts, to the end that all such as do fear the Lord may then also strive with us in fervent, earnest prayers and supplications to the Lord in the name of our advocate Jesus Christ, that he would rebuke and take away the spirit of slothfulness, envy, covetousness, pride, murmuring, strife, vainglory, self-seeking, judging and despising one another, and whatever else may be found amongst us to be displeasing in his sight, to provoke him to depart from us to leave us to our own ways and counsels, and that he would pour out his spirit amongst us, and vouchsafe his own wonted gracious presence and guidance in the counsels of both nations, and that his servants, whom he hath called forth in this day to act in these great transactions, may be made faithful, and may be taught, led and guided by him, whose name is Wonderful, Counsellor, the Mighty God, who is now doing wonderful things before the sons of men, and that his will may be made known unto them in their several stations, and they therein carried on by his own outstretched arm against all oppositions and difficulties, to do whatsoever is pleasing in his sight. To whose guidance we

378 *Inquiry into delinquency of Irish proprietors* [1653
recommend you." 9 Nov. Domestic Corresp. A/90. 50.
ff. 555-6.

436. SAME TO RICHARD LAWRENCE, WM. ARNOP,¹ HENRY JONES, WM. IVORY, THOS. HOOK, ISAAC DOBSON,² HENRY MARKHAM AND ROBT. DOYLEY,³ APPOINTED COMMISSIONERS FOR EXAMINING THE DELINQUENCY OF IRISH AND OTHER PROPRIETORS [IN THE PRECINCT OF WATERFORD], IN ORDER TO THE DISTINGUISHING OF THEIR RESPECTIVE QUALIFICATIONS, ACCORDING TO THE ACT FOR SETTLING IRELAND.

Whereas the Irish and other proprietors of lands in Ireland, comprehended in the Act for Settlement of Ireland (not being under any of the five first Qualifications in the said Act) are to have proportionable part of their forfeited estates allowed them, as is in the said Act provided concerning them respectively ; and whereas, for distinguishing the said persons according to the respective Qualifications in the said Act, it is fitting that inquiry be made concerning their respective demeanours and actings during the late Rebellion, you are authorised to examine on oath those who are able to give you this information respecting owners in 1641.

1. Whether the supposed Delinquents did live in Ireland in the first year of the Rebellion, or since and where ; whether in the enemy's quarters and how long, and whether they might not have removed thence into the Parliament's quarters within the said year, and whether any English in and near the said places did not then remove and come into the English quarters.

2. Whether the said persons did during the first year of the Rebellion remove out of any garrison into places remote from them near to the enemy's quarters.

3. Whether in the first year of the Rebellion, and before 10th November 1642, they did in anything contribute to the

¹ Lt.-Col. William Arnop, afterwards of Dunmanway, co. Cork, was for some time Governor of Enniskillen. He supported the Restoration and married Jane, daughter of Sir William Piers of Tristernagh, by whom he had issue.

² According to Ludlow (*Memoirs*, ii, p. 151) Lt.-Col. Isaac Dobson "had been used ill by Oliver, and unjustly removed from his command ; which being represented to me when I was there [Ireland], I advanced him to be a field-officer ; but being a man of slender ability, and little acquainted with public affairs, he was easily deluded by the fair pretences of the Wallingford House party, and became their creature."

³ Lt.-Col. Robert Doyley was a member of the High Court of Justice.

enemy's force, or whether they were of any county militia there raised.

4. Whether they have abetted the Rebellion or robberies then or since committed, or did aid in the summoning of any English garrison.

5. Whether they have attended public meetings of the rebels, to promote the Rebellion in the first year of the Rebellion, or since, when and where.

6. Whether they have been of, or have joined in the election of such as have been of the Supreme Council, or of any Provincial, or County Council during the first year or since, and where and when.

7. Whether they have subscribed any oath of association or otherwise against the Parliament or the Commonwealth of England and their forces.

8. Whether they did treat with foreign states, or brought in arms, merchandise etc. for the rebels.

9. What offices or places of trust, civil or martial, were occupied by them in the first year or since, where and when.

10. Whether they had father, sons, brothers or servants in the first year of the Rebellion or since, and whether they repaired to, or held correspondence with them, or did receive assistance.

11. Whether any English have lived on their lands and what has become of them.

12. Whether in the first year of the Rebellion they did take any goods or arms of the English living amongst them as aforesaid, by what warrant, and whether they received any pillage during the said first year of the Rebellion.

13. Whether they knew of any murders or robberies committed on the English in the said first year of the Rebellion, and whether they did shelter such. 16 Nov. Orders A/84. 44. ff. 747-50.

437. In pursuance of the powers to us committed, we do authorise and appoint Major Richard Hodden,¹ Major John

¹ Major Richard Hodden, Governor of Kinsale, was a Quaker. Cf. *Cal. State Papers, Irel.*, 1669-1670, App., pp. 374, 377, and Thurloe, *State Papers*, iv, pp. 508, 872.

Denison,¹ Captain John Baker,² Robert Southwell Esq. and Nicholas Holland, Surveyor, or any three or more of them (whereof the said Nicholas Holland to be one) to take a gross survey by the most exact and nearest estimate that can be taken of all and singular the several honors, manors, parishes, lands, towns and hereditaments within the baronies of Kinalea and Kerrykurrihy in the county of Cork. 26 Nov. *Ib.* ff. 774-7.

438. Names of the Commissioners appointed for trying Delinquents in each of the precincts. Undated, but about 6 Dec. *Ib.* ff. 807-9.

439. THE COMMISSIONERS TO THE COMMISSIONERS OF EACH PRECINCT.

“ We have herewithal sent you a Commission for examination of such witnesses as can be produced against those proprietors that have lands within your precinct, as also interrogatories,³ upon which you are to examine the said witnesses. We desire you to use your utmost diligence herein, and immediately upon the receipt hereof to summon all those who are mentioned in the said Commission, and to choose out one amongst yourselves who is most fitted and best at leisure to undertake the special management of this affair. . . .” 6 Dec. Domestic Corresp. A/90. 50. f. 566.

440. SAME TO THE COUNCIL OF STATE.

“ In pursuance of the powers given us by the late Act for the satisfaction of Adventurers and soldiers, and for the setting out lands to such as were disbanded, orders were given for perfecting the accounts of the said disbanded forces, and for computing the lands due to each of them respectively, according to the

¹ Of Col. Phaire's regiment of foot. He held a lease from the State in 1656 of a house and considerable lands in and about Cork city.

² Capt. John Baker received satisfaction for his arrears in the barony of Duhallo, co. Cork, but being compelled to surrender to the former proprietor, William Sweetman, at the Restoration, he received a reprisal in another part of the same county.

³ The “ interrogatories ” were those contained in Document 436. Only the findings of the Commissioners for Athlone precinct have been preserved in the Commonwealth Records. They are marked A/32. 30. See *Deputy Keeper's Reports of the Public Records in Ireland*, xiv Rep., App., pp. 38-39, where the case of Anthony Brabazon of Ballynasloe, co. Roscommon, is given as an example.

rates expressed in the said Act ; which accounts being near finished, a doubt was raised that, in proceeding to set out lands for the said disbanded soldiers at the said rates of lands mentioned in the Act, the remainder of the lands in Ireland, in the dispose of the Commonwealth, would not be sufficient, at the same rates, to answer the residue of the debt and arrears charged upon the same by the said Act. It was therefore thought fit that an estimate should be made of the whole debt charged upon Irish lands, and that another estimate should be taken out of the surveys returned from the respective counties (pursuant to directions to that end given) of all the lands in the dispose of the Commonwealth in every respective county (the Province of Connaught and County of Clare only excepted).

“ By which estimate it appeareth : First, that the debt due to the disbanded soldiers, and to the officers and soldiers of the standing army for their service in Ireland, and for their arrears due for service in England doth amount to £1,550,000, and that the debts due for money lent or otherwise due upon Public-Faith Bills, and charged upon rebels’ lands is estimated, by the nearest conjecture that can be made thereof, to amount unto £200,000 : so that the whole debt charged upon Irish lands (besides what is due to the Adventurers) is estimated to amount unto £1,750,000.

“ Secondly, that the land in the dispose of the Commonwealth in the Province of Leinster amounts to 1,157,000 acres ; in the Province of Munster 1,071,000 acres ; in the Province of Ulster 419,000 acres ; in the baronies set apart for the disbanded soldiers in the County of Sligo 50,000 acres : in all 2,697,000 acres. Out of which the moiety of the ten counties and the whole County of Louth (except the Barony of Atherdee) being deducted, (the same being settled by the Act for satisfaction of the Adventurers) the whole land in the dispose of the Commonwealth of Ireland (including the counties of Dublin, Kildare, Carlow and Cork) according to the said estimate amounts unto 2,131,500 acres and no more ; and, if the said last mentioned four counties be reserved (according to the Act) for other uses, then there remains towards satisfaction of the said arrears and debts in lands, according to the said estimate, 1,727,500 acres, and no more, which lands according to the rates, at which the same are to be set out by the

Act in the respective provinces, amounts to the sum of £802,500 and no more; so that the said lands appointed by the Act for satisfaction of said arrears and debts falls short to answer the same, according to the said rates and the estimates abovesaid the sum of £947,500.

“The lands appearing thus short to answer the said debt according to the said rates, and the said estimates of the said lands, though uncertain especially as to some particular counties, being yet judged as near as any that could at present be taken, it was thought convenient that the same should be communicated to the officers and soldiers at a General Council, who (being summoned and met) after several debates had and divers expedients propounded, did condescend, that the rates of lands should be raised, from what they were formerly valued at by the Act in the several provinces, to the rates contained in the enclosed [wanting¹] paper, for the better equalising of the said rates in the respective counties in each province, so as might answer in proportion one the other, according to the goodness of land and other conveniences. For which end the rates enclosed were agreed upon by the said Council, and desired that the forces now disbanded might forthwith be settled in the several baronies appointed for them at the said rates, engaging that if, upon a more exact survey, a greater proportion of lands should be found to be in the said counties than is presented by the said estimate, or if the Parliament should grant the four counties or any part of them for additional security, that then the said disbanded forces should, notwithstanding their present acceptance of those higher rates, receive equal benefit and satisfaction with the standing army, and however not to be abated of that proportion of land which should be now set out unto them. Whereunto the disbanded officers being present did agree.

“And having likewise seriously considered that some arrears due before 1649² are appointed by the Act to be satisfied in

¹ But see “A Particular of the Rates of the several counties in the Province of Leinster, Munster and Ulster, as they were agreed to by the General Council of Officers, to be settled upon each of the said counties respectively, in order to the setting out of the Lands for the satisfaction of the Arrears of them that are disbanded, until the pleasure of the Parliament shall be further known therein, or a more exact account had of Forfeited Lands in Ireland.” Printed by William Bladen, Dublin, 1653, of which a digest is given in Prendergast, *Cromwellian Settlement*, pp. 213-214

² Cf. Ludlow's remark on the partiality displayed by the Council of the Army in this respect, *Memoirs*, i, p. 338.

lands after the rates of several years' purchase mentioned in the Act, and that such course for satisfaction admits of much delay, uncertainty and trouble, and that the officers now disbanded were willing to remit their half-pay, so that they might have lands set out unto them for their said arrears before 1649, as well as since, upon one and the same account, it was propounded by the said General Council, that those who were, upon the 8th of August last, or since, disbanded should have the same proportion and way of satisfaction for their arrears before 1649 with the officers and soldiers of the army since 1649.

"And in regard the counties and places appointed by the Act for satisfaction of the said arrears and debts (bishops' lands etc. being cast in) fall so much short of satisfaction according to the rates at which the Parliament were pleased to grant the said lands, the said Council of Officers have, on the behalf of the soldiery (with humble acknowledgment of much thankfulness to the Parliament for their free and liberal intention towards them) submitted the said rates to the Parliament, to be by them proportioned according to what lands the Parliament shall think fit to make liable to the said arrears and debts, as an addition to the former security, in case, upon a stricter survey, the said security proves short of satisfaction, as is before mentioned.

"All which they have signified unto us, desiring us to recommend the same to the Parliament, which we, humbly conceiving to be of public advantage, present to your Lordships, for your effectual mediation to the Parliament, for an addition of security as is desired upon the four counties reserved by the Act. In the meantime we have issued out commissions ¹ to survey and set out lands to the disbanded forces, according to the said advanced rates and purport of the resolutions of the said Council, which we apprehend to be a course tending much to the public service. All which we leave to your further consideration and remain." 16 Dec. *Ib.* ff. 587-590.

441. SAME TO THE COMMITTEE FOR IRISH AFFAIRS.

"We have sent you enclosed a draught of an Act to be presented to the Parliament, if you judge fit. There is a very great

¹ See Nos. 448-454.

want of some power, to the purport of this paper, to be given for the settling of estates in Ireland. The anciently accustomed course in law for the said settlement being now wholly obstructed, we conceive there is a great need of a public seal to be used here in conveyances from the State and other public instruments, which we make bold to remind you of." 17 Dec. *Ib.* f. 586.

442. Total acreage returned in the surveys of the ten counties appointed for the satisfaction of the Adventurers and soldiers, and of the County of Louth, taken by virtue of several commissions issued to the Commissioners of Revenue of the respective precincts in Ireland viz. Meath 185,917, Westmeath 130,391, Queen's County 153,654, King's County 141,973, Tipperary 516,566, Limerick 245,245, Waterford 153,110, Arinagh 87,978, Down 230,238, Antrim 244,559, Louth 58,772. Mem. at the rate of 21 feet to a perch,¹ and no distinction made of profitable and unprofitable land; but a gross survey of the ten counties. 19 Dec. Orders A/84. 44. ff. 837-845.

443. Ordered that Messrs Sellick and Leader be authorised to transport rogues and vagabonds. 28 Dec. Orders A/85. 45. f. 13.

444. Ordered that the inhabitants of counties Down and Antrim be allowed to export grain and other commodities. 29 Dec. *Ib.* f. 21.

445. THE COMMISSIONERS TO THE COMMANDERS-IN-CHIEF OF THE RESPECTIVE PRECINCTS, TO BE COMMUNICATED TO THE REST OF OUR CHRISTIAN FRIENDS THERE.

"Dear Friends, It hath pleased the Lord through his unsearchable wisdom to exercise his poor servants in these latter days with various difficulties and of divers kinds, we trust all for the increase and trial of our faith, and to preserve us from those pollutions, which in a continual outward settlement we are too subject unto, and besides that he hath a purpose to

¹ *I.e.* Irish measure.

accomplish his many glorious promises for increasing righteousness even unto the reign of him whose right it is. For which we hope with rejoicing. Yet have we indeed much cause to mourn and be afflicted for the great cause he hath to overturn, overturn, as the prophet speaketh, through unbelief and manifest unfitness of this age to bear his name and be his servants, who are not only subject to fall short and faint in the work of moral reformation, but even ready to obstruct the spiritual government the Lord (on whose shoulders alone it is) would, by his word, establish over his people, in which we have had cause to confess it is unsafe to interpose the best human skill, and that, while we are most subject to assume above what is meet even in things above our measure, we have cause to mourn there should scarcely be found any fit amongst us, for any competent season, to manage well the work of magistracy and the civil government of these nations, to the breaking every yoke and settling them in righteousness after the expense of so much blood and treasure to obtain it. In which, though the Lord alone hath wonderfully led and preserved us, yet being but come to the sight of our peace and liberty how apt are our hearts to forget him and his wonders, now promising ourselves that peace and prosperity by our own wisdom which his only can get, obtain and maintain for us.

“The sudden dissolution of the Parliament,¹ whereof, we believe, you have heard, from whom (as from instruments heretofore) we were too subject to expect above what was meet, seems still to reprove that sin of looking for salvation from the hills, and the too little sense we have of the work of those in authority (as it makes us neglect them in our prayers, whereof they have great need) so justly (in their miscarriage) we miss of the good expected from them, which, if we should slightly obtain, would but render us still ready to sacrifice unto them, and to be insensible of the mercy from the Lord, who therefore disappointeth us and staineth every instrument that he might be sought unto by all and have the praise of and from all, which are due unto him only, who will yet remember his poor people who truly return to him and seek him in their low estate ; for his mercy endureth for ever.

“Now therefore we earnestly exhort you to stir up all who fear

¹ The Little or Barebones' Parliament, dissolved suddenly on 11 Dec.

him amongst you to lay to heart the present condition of the public affairs, again exposed to the renewed endeavours of our manifold adversaries, unless the wonted faithfulness of our gracious Father still preserve us. And truly had not God been on our side, well might we say ere this we had been swallowed up quick, when his poor people's enemies in England, Scotland, this country, Holland, with the help of other nations came up against us and many a time contrived our ruin. Who knows but that he will further exercise our faith by the present shakings, yet once more to make his own arm bare on our behalf, for some fresh signal favour, whereof we have had such free and plentiful experience? It may be, by the heightening of his adversaries for their falling down headlong, he will yet more visibly save his people, and perhaps he will yet more thoroughly purge his floor, and make manifest such mercenary ones, who, in the low estate of his work and servants, are ready to forsake them; wherein we have seen his wonderful wisdom. It may be he will more reconcile his people who, in their prosperity, are too ready to divide; or refine us as by fire from unthankfulness, fleshly confidence, false rests, divisions and such like provocations. Sure we are some advantage, even by all our changes, is intended to all that truly fear and trust in him, whom we earnestly entreat may lay to heart in our unsettlement what provocations are found amongst us, and in sincerity humbly seek his face together, which we intend through the Lord's assistance here in a special manner upon Thursday, which will be the 12th day of January inst. And do heartily wish we may in faith meet together at the Throne of Grace by effectual fervent prayer, and that the further signs of his presence with us may be the unfeigned mourning over and turning from every evil way, to the healing of our backslidings, and the settlement of these poor nations, especially the minds of his people, to their being more thankful for and rejoicing in the appearance of truth and peace. The God of truth and peace guide and strengthen us to seek his face in faith and fear and to a patient waiting for and resting in the various dispensations of his blessed providence in whom we are." 2 Jan. 1654. Domestic Corresp. A/90. 50. ff. 593-5.

446. INSTRUCTIONS FOR WM. EDWARDS,¹ EDWARD DOYLEY,² CHARLES HOLCROFT,³ JAMES SHANE,⁴ AND HENRY GREENAWAY⁵ ESQS., COMMISSIONERS APPOINTED FOR THE SETTING OUT OF LANDS IN CONNAUGHT AND CLARE FOR SUCH IRISH AND OTHER PERSONS WHO ARE TO REMOVE THITHER BEFORE THE 1ST DAY OF MAY NEXT.

“ 1. You are forthwith to repair and meet together at Loughrea, for the speedy and effectual putting in execution of your commission, and you are to proceed in the service committed to your care according to the tenor of the said Commission and of the Declarations published in print in that behalf.

“ 2. You are to advise with the Commissioners of Revenue in the respective precincts in Connaught and Clare what persons are fit to be entrusted and authorised by you in every respective county for the setting out and distributing of lands to the persons now to be removed into Connaught and Clare, according to the tenor of the said printed Declarations and such further Instructions as you shall give them in that behalf, pursuant to the said Instructions.

“ 3. You are to take care in the setting out of lands, that no greater proportion in value be assigned to any, than what you judge to be proportionable to their respective stocks and tillage in the places from whence they remove, as the same shall appear by their certificates, or to be their right to have, as having been proprietors of lands. In which, and other cases of that nature, you are to be guided by the respective certificates, except it be by special order.

“ 4. You are in setting out lands, to take care that none of

¹ Col. William Edwards appears to have come to Ireland in 1647 as lieutenant to Capt. Mackworth in Col. Hungerford's regiment, stationed at Drogheda. His arrears were satisfied in Co. Louth; but he seems to have had lands also in Connaught.

² Probably Capt. Edward Doyley or Doyly, who came to Ireland in 1647 in command of a troop of horse. He was afterwards ordered to Jamaica, where he became Commander-in-Chief of the English forces there.

³ Capt. Charles Holcroft served in Ireland from the commencement of the war. He was awarded part of the lands belonging to the archbishopric of Tuam.

⁴ James Shane or Shaen served as a cornet of horse in the British army in Ulster, at a time when it was opposed to the Parliament. But, according to his own account (*Cal. State Papers, Irel.*, 1656, p. 600) he tried to turn people back to the Parliament's interest, and himself declared for it at the risk of his life, being afterwards taken into favour by Ireton.

⁵ Henry Greenaway or Greenway managed, like Edwards and Holcroft, to secure lands for himself in Connaught.

the inhabitants of the counties of Kerry, Cork and Limerick be permitted to sit down and have any lands assigned them in the County of Clare, without special order.

“ 5. You are to take care that none of the inhabitants of the counties of Cavan, Fermanagh, Tyrone and Donegal be settled and have any lands assigned to them by you in any part of the counties of Leitrim or Sligo, without special order.

“ 6. You are to take care that none of the Irish, now living or inhabiting within ten miles of the Shannon on this side, be settled and have any land assigned to them by you within ten miles of the Shannon on the other side, without special order as aforesaid.

“ 7. You are to take care that the whole inhabitants of no one county that are removed be settled and have any lands assigned to them in any one county or part of Connaught together ; but you are to endeavour to disperse them as much as conveniently you may.

“ 8. You are likewise to take care that the several septs, clans, or families of one name removing be, as much as may be, dispersed into several places.

“ 9. You are to reserve the whole County of Leitrim unplanted, until the other counties be fully planted and further directions given you for the planting of the same ; and, if in any case you shall find it advisable to dispense with this Instruction touching the County of Leitrim, you are to certify the same to the said Commissioners, that you may receive further orders therein.

“ 10. And whereas it is conceived very probable that the quantity of profitable lands, mentioned in the Abstract of Surveys, now delivered you, to be in the respective baronies, counties and parishes in the said Province of Connaught and County of Clare, are much short of the true quantity of such lands in each place, you are to keep the said Abstract and these Instructions private, and to issue out your warrants for the setting out such quantities of profitable lands in each barony, parish and other places, as you shall judge may be found in the said places, having respect to the quantity of lands in each place already planted by the inhabitants, the said Abstract being only prepared for your guidance, that you may not reckon upon a lesser proportion of profitable lands in each place than is there contained.

"II. And you are to take care that no more lands be accounted waste or unprofitable, but such as are altogether unprofitable for tillage, meadow, pasture, or wood, whereof no considerable benefit can be made. In the settling of such, as are to remove, in lands, according to the tenor of the said Declaration, you are, before you assign lands unto them, to consider whether the persons, who are to have lands assigned them, be proprietors of lands or tenants; and to observe the respective terms and conditions under which they are respectively to enjoy the lands in which they shall be settled, as you find the same held forth in the said Declaration of 14th October last.

"You are from time to time to certify your proceedings in this service to the said Commissioners of the Commonwealth, and what obstructions you meet with in the same and how you conceive the same may be removed." 6 Jan. Orders A/85. 45. ff. 47-9.

447. THE COMMISSIONERS TO THE COMMISSIONERS OF REVENUE OF EACH PRECINCT.

"We have lately nominated Wm. Edwards, Edward Doyly, Charles Holcroft, James Shane and Henry Greenaway Esquires Commissioners for the receiving in of certificates and setting out lands in Connaught and Clare to the persons that are to remove thither according to the Declaration bearing date 14th October last,¹ and appointed Loughrea for their place of sitting, which we thought fit to make known to you, that you may communicate the same to the people who shall repair to you for certificates, in order to their said removal, whereby they may the better understand where to present their said certificates. In which we desire you to distinguish between proprietors and tenants, that the said Commissioners may the better dispose of them according to the directions and Instructions given them in that behalf." 9 Jan. Domestic Corresp. A/90. 50. f. 598.

448. A COMMISSION FOR THE SETTING OUT LANDS IN THE COUNTY OF CORK TO THE DISBANDED FORCES IN LIEU OF THEIR ARREARS.

"Whereas by one Commission and Instructions under the

¹ Only one copy of this Declaration (preserved in Kilkenny Castle) is known to be in existence. It has been published by Gardiner in his "Transplantation to Connaught" (*Eng. Hist. Review*, Oct. 1899) and in *Calendar of Ormond Papers*, N.S. ii, pp. 400-405.

Great Seal of England bearing date the 22nd day of June 1653, directed unto the said Commissioners, and approved of, and confirmed by an Act of Parliament entitled 'An Act for the speedy and effectual satisfaction' etc.,¹ power is given to the said Commissioners to set, or cause to be set forth unto such officers and soldiers, as are lately disbanded, such proportions of lands and number of acres by estimation, or gross survey, as shall be sufficient to satisfy the arrears due to the said officers and soldiers respectively, as in, and by the said Commission, Instructions, and Act more at large appeareth; and whereas, upon view and examination of the returns made of the quantity of lands in the respective counties of Ireland, according to the exactest returns that have hitherto been made of the same, and upon a strict estimate of the debt charged upon lands in Ireland, it is found the lands appointed by the said Act for satisfaction of the arrears of the army falls short to satisfy the said arrears, according to the rates set down in the said Act; and upon consideration thereof, and to the end that the said lands appointed for satisfaction of arrears might be the more equally distributed, it was at a General Council of Officers held at Dublin the 21st and 22nd November 1653 resolved, that the said Council did agree and desire the said Commissioners to proceed to satisfy the disbanded soldiery in the province of Munster according to the rates hereafter mentioned, and to set out lands by estimate or gross survey, to be made according to the said Act for satisfaction of the said arrears, in proportion according to the said rates, subject nevertheless to an exact admeasurement, within the time limited by the Act,² as well on the behalf of the Commonwealth as on the behalf of the soldiery; and that in case the Parliament shall grant more land for satisfaction of the army's arrears, or if the lands already granted for that use shall hold out to afford a greater proportion of satisfaction than according to the said rates, or if the proportion of land to be now set out by estimate as aforesaid to any regiment, troop, company, or other persons shall be found upon exact admeasurement to be short of the number of acres the same shall be set out for by estimate, and the said defect discovered

¹ Act of 26th Sept. 1653.

² I.e. within three years from and after 24th June 1656.

within one year after possession had of the same, that then, in the said cases last mentioned, the disbanded officers and soldiers shall receive proportionable supply of satisfaction to the rest of the army out of lands in the dispose of the Commonwealth, lying most convenient to their respective proportions, as in and by the votes of the said Council appeareth.

“ And whereas the said rates mentioned in the said vote upon the lands in the County of Cork is £800 for every 1000 acres, according to which rate the officers and soldiers lately disbanded, who are to receive satisfaction in lands within the said county, are to have lands set out unto them within the baronies of Fermoy, Duhawley *alias* Duhalla [Duhallow], Condon, Aurora *alias* Orreri [Orrery], Carbery, Kilmote *alias* Kilmore, Kilmolee *alias* Kinalea, and Kilnocker *alias* Kerry-Curry [Kerrycurrihy], or in some of them within the said county ; and whereas the persons who served in the respective regiments, troops, and companies, particularly named in the schedule or list hereunto annexed [wanting], and being part of the forces in the said Act mentioned, are now actually disbanded, and are, by the tenor of the said Act, to have satisfaction for their arrears in lands within the aforesaid baronies ; and whereas the arrears of the said persons (the same being duly stated) amounts in the whole to the sum of £60,611. 8. 6, as by the said schedule appeareth, for satisfaction whereof there is to be set out, out of lands within the said baronies according to the rates above mentioned, the number of 75,735 acres and 2 roods, the said Commissioners of the Commonwealth, in pursuance of the powers and authorities to them committed, do hereby authorise, constitute and appoint Roger, Lord Broghill, Col. Robt. Phaire, Majors Peter Wallis, John Denison, Richard Hodden, Dr John Harding, Esay Thomas, Thos. Woodliffe, John Hodder, Thos. Mosse and Joseph Deane Esqs., or any three or more of them, to set out by lot, according to the Rules and Instructions hereafter mentioned and expressed, unto the said persons in the said schedule mentioned, the said number of 75,735 acres and 2 roods, according to the measure of 21 feet to a perch and 160 perches to an acre, of the lands belonging to the Commonwealth within the said baronies of Fermoy etc., or within one or more of them, according to the surveys appointed to be taken of the same

by several commissions bearing date 26th November last past, for and in satisfaction of the said arrears of £60,611. 8. 6, due unto the said persons as aforesaid, to be held and enjoyed by the said persons, their heirs and assigns respectively, under such estates, tenures and conditions as in and by the said recited Act is set forth and expressed.

“ In the setting out of the said lands by lot for the ends and purposes aforesaid, and in further executing this their commission, the Instructions following are to be observed, viz. :—

“ 1. They are to cause one ticket or lot to be made for every respective troop, and for every respective company, contained in the said annexed schedule ; in which ticket or lot is to be inserted the name of the troop or company and other persons and the number of persons therein, the arrears due to such troop or company and other persons in one gross sum, and the quantity and number of acres due to such troop or company according to the said rate of £800 for every 1000 acres ; which tickets or lots being prepared as aforesaid in several papers of equal bigness, are to be rolled up and closed with wax, wafer, or glue, so as one cannot be distinguished from another without opening them, and to be put in a box, out of which they are to be drawn as lots, to distinguish in which of the said baronies the proportion of lands due to each troop and company falls.”

2. The place and time to be appointed by the above named for the drawing of the lots, to be published in the towns of Cork, Youghal, Mallow and Bandon-Bridge at least seven days before the day appointed.

“ 3. In the drawing of the said lots they are to have before them the duplicates of the surveys of the said lands within the said baronies, appointed to be taken by virtue of the several commissions above mentioned, and to be left with the Commissioners of Revenue at Cork, to the end it may appear unto them what quantity or number of acres in the dispose of the Commonwealth are contained in every of the said baronies.”

“ 4. They are to begin to draw out lots for the Barony of Fermoy, drawing only one lot at once and reading the same aloud in the audience of all persons present, filing the lot on the file for that barony, and likewise entering the same fairly and distinctly before another lot be drawn ; and so to proceed

lot by lot until so many lots be drawn as contain all the numbers of acres in the said barony in the dispose of the Commonwealth, according to the said survey."

5. Regarding the supply of defects.

6. For the avoiding of disputes leave to be given to enter on their allotments (agreed by amongst themselves either by lot or agreement) until conveyance can be made.

7. To proceed with the other baronies as in the case of Fermoy.

8. In case the major part of the said persons appointed for this service find the method prescribed inconvenient they can alter it.

" 9. That upon drawing of the lot for each barony as aforesaid, all the persons, into whose shares each barony shall fall, are to deliver in their Debentures to the said persons appointed for this service, who are to receive the same and to enter them in a Book, and to transmit the original Debentures to the Register of Debentures at Dublin, to be by him cancelled, and to mark in his Book of Entry of Debentures, upon the entry of every of the said Debentures that the same are satisfied; and the said persons appointed for this service, or any three or more of them, upon receiving in of the said Debentures, are to give tickets or certificates under their hands and seals unto every person whose Debenture is so delivered in, therein inserting the name of the person whose Debenture is delivered in, the sum due by the Debenture, the number of acres he is to have in satisfaction, and the barony or allotment in which he is to have his lands. The form of which certificates are to be as followeth:—By virtue of a Commission to us and others directed from the Commissioners of the Commonwealth, bearing date 10th Jan. last, for the setting out of lands unto the officers and soldiers, in the said Commission mentioned, in satisfaction of their arrears, we do hereby certify that A. B. being late lieutenant in the troop of C. D. in the regiment of Col. E. F. hath this day delivered up unto us two Debentures bearing date the day of last past, and being for all his service in England and Ireland, amounting in the whole to the sum of £ . s. d.; in satisfaction of which sum there is due unto him acres of lands, within the allotment of the barony of G. in the County of Cork, in which allotment the lands due to the officers and soldiers of the said

troop in satisfaction of their arrears, is fallen by lot. In witness whereof we have hereunto set our hands and seals at Cork the day of 1653[-4]."

10. When the lots are drawn the half-pay is to cease ; and those whose lots fall in the same allotment are to divide the same by agreement or lot amongst themselves, and to distinguish every man's share by the situation, and by his name ; and the same, so distinguished with the person's name, are to be distinctly set down in writing by the respective officers and soldiers belonging to the whole allotment, and the originals to be transmitted to the Commissioners of the Commonwealth.

11. And for the better settling of the lands, the officers and soldiers, whose lots fall in the same barony may appoint two or more persons to be their attorneys and agents, to repair to the Commissioners of the Commonwealth for taking out conveyances for the settling of the said lands unto every respective person, their heirs etc. according to law.

12. The persons appointed for the service can have authority to decide any differences that arise in the execution of the trust reposed in them.

13. They shall take the oath :—" You shall faithfully promise and swear in the presence of the great and mighty God that you shall well and truly execute the power and trust to you committed by virtue of this Commission and Instructions according to the best of your skill and knowledge." 10 Jan. Orders for Lands A/81. 41. ff. 31-40.

449. A Commission authorising Col. John Foulke, Major Wm. Cadogan, Patrick Carey, Cadwallader Wynne, Lt. Nixon, Dr Jonathan Edwards and Thomas Fugill Esqs., or any three of them, to set out by lot the number of 19,318 acres, 1 rood and 13½ perches, part of the lands belonging to the Commonwealth within the Barony of Atherdee [Ardee, co. Louth], in satisfaction of £23,182 arrears, due to the disbanded officers and soldiers and other persons in a schedule to the said Commission annexed [wanting] mentioned, which Commission is the same in terms and Instructions (*mutatis mutandis*) with that Commission issued unto the County of Cork, for the setting out lands to the disbanded forces there, except these clauses following, viz. an addition to the first Instruction in the said Commission and

in the latter end thereof, in these words following—" And the said lots being prepared as aforesaid, they are to divide the said barony into several allotments by parishes or otherwise, so as the number of acres in each of the said allotments (in the dispose of the Commonwealth) according to the said survey, may be certainly known (not regarding the equality of one allotment with another), to the end that lots may be drawn for every respective allotment as hereafter is herein expressed." And likewise an alteration in the beginning of the 4th Instruction in the words viz.—" 4thly. They are before they begin to draw out any lots, to appoint which of the said allotments they shall first draw lots for, and out of what part of the next adjacent allotment the supply of the first allotment shall be made as hereafter is directed, and then they are to proceed to draw out of the said lots for the said first allotment "; and likewise except where the word " barony " or " baronies " is inserted in the Instructions in the aforesaid Commission for Cork, the words " allotment " or " allotments " is inserted in the Commission for the Barony of Atherdee in the County of Louth. 10 Jan. *Ib.* f. 41.

450. A Commission authorising Cols. Daniel Axtell, Wm. Leigh, Lt.-Col. Richard Stephens, Sir Patrick Weames, Tobias Wickham, Thos. Adams, Lt.-Col. Oliver Wheeler, Major Thos. Rawlins, Capt. John Jeomer, Samuel Wade, Capt. Bolton, Thos. Watts, Capt. Jacob Cornock, Capt. Jonas Wheeler, Wm. Whalley and Wm. Williams, or any three of them to set out by lot the number of 16,756 acres, 3 roods and 10 perches of the lands, belonging to the Commonwealth, within the Barony of Shellelougher [Shillelogher] in the County of Kilkenny, in satisfaction of £18,432. 10. 0 arrears due to the disbanded officers and soldiers, and other persons in a schedule to the said Commission annexed [wanting] mentioned, which Commission is the same in terms and Instructions (*mutatis mutandis*) with that Commission issued unto the County of Cork, for the setting out lands to the disbanded forces there, except these clauses following, viz. an alteration in the Commission as followeth in the clause that is now in this Commission, to be thus read—" And whereas the said rates mentioned in the said vote upon lands in the County of Kilkenny is £1100 for every 1000 acres,

according to which rate the officers and soldiers lately disbanded, mentioned and contained in the list hereunto annexed, are by the tenor of the said Act, to have lands set out unto them within the Barony of Shillelogher within the said County of Kilkenny," that only crossed out in the Commission for Cork; the words, "who are to receive satisfaction in lands within the said county," and likewise the next clause to that, beginning thus—"and whereas" is all quite struck out in this Commission to the next clause that begins thus—"and whereas the arrears etc."

Also the same alterations as in the case of the Barony of Atherdee.

And likewise in the latter end of the 11th Instruction, it is thus altered in this Commission, that next unto the words "according to law" and then next to be read, "and under such tenures, conditions as are mentioned and expressed in the said recited Act" instead of the words "and the rules and directions given" etc. to the latter end of that clause. Likewise is added to this Commission a new clause,¹ that runs in these words,—“ 12thly. In case the said land forfeited to the Commonwealth within the said Barony of Shillelogher falls short in quantity to give satisfaction to the officers and soldiers contained in the said list hereunto annexed, you are in that case to enter such troop and other person and persons, who shall by lot be left so unsatisfied in the said barony, in a list by themselves, together with the sum or arrears due to each man, and quantity of land each man is to have in satisfaction of such arrears, which list you are to add to the list of officers and soldiers, who are to have their arrears satisfied in lands in the baronies of Iveagh [Iverk], Ideagh [Ida], Ibercan [Ibercon, now a part of Ida], Knocktofer [Knocktopher] and Kells within the said County of Kilkenny annexed to a Commission bearing date with these presents and directed to you for setting out lands unto the said officers and soldiers contained in the said last mentioned list, and you are to admit the said troop and persons so added, to have their lots in the said baronies as if they had been originally contained in the said last mentioned list, appointed to be satisfied in the said last mentioned baronies.”

¹ In margin: "This was authorised to be done on 13 March 1653[-4]."

Then follows 13thly. "That in case" etc. to the latter end.

Mem. That the Commission by which the survey of the said barony was taken bears date 6th December last. With this Commission was sent 230 of the printed tickets or certificates in a deal box, the 14 March 1653[-4]. 10 Jan. *Ib.* ff. 55-7.

451. A Commission for the setting out of lands to such of the disbanded officers and soldiers as are to be satisfied in the County of Kilkenny (*mutatis mutandis*) with that of Cork was directed to the persons following, viz. Cols. Daniel Axtell, Wm. Leigh, Sir Patrick Weymes [etc. as in the preceding Commission] or any three or more of them, to set out by lot unto the persons in the list to the said Commission annexed [wanting] mentioned (being in number 954) the number of 49,203 acres, 2 roods, according to the measure of 21 feet to the perch etc., the same to be set out in the baronies of Idea [Ida], Iverk, Ibercon, Knocktopher and Kells in the County of Kilkenny, or within one or more of them, according to the surveys appointed to be taken by virtue of several Commissions and Instructions, dated 6th December last past, for satisfaction of the arrears due to the said persons, amounting to the sum of £54,123. 17. 0, at the rate of £1100 per 1000 acres; and to begin to cast lots for the Barony of Kells; the lots to be published by the above named persons in the towns of Waterford and Kilkenny, five days before the lots are to be drawn; the duplicate of the said survey is to be left with the Commissioners of the Revenue at Kilkenny, and the abovesaid persons are to take the oath before mentioned, and to that end Col. Axtell, Lt.-Col. Stephens, Mr Wickham and Major Adams are to administer the oath to each other etc.

This Commission (with the former for the barony of Shillelogher) was put in a deal box with 970 tickets and sent forward 14 March 1653[-4]. 10 Jan. *Ib.* f. 59.

452. A Commission, bearing date 10th January 1653[-4], issued forth, authorising Majors Wm. Sheppard, John King, Cpts. Robt. Morgan, Robt. Oliver, Major John Folliott, Cpts. Charles Holcroft and John Eyre and Arthur Hellshaw, Edward Crofton and Wm. Webb Esqs. or any three of them to set out by lot the number of 63,130 acres, 32 perches, according to the

measure of 21 feet to the perch and 160 perches to the acre of the lands belonging to the Commonwealth in the baronies of Terrera [Tireragh] and Carbury in the County of Sligo, in satisfaction of £31,565. 2. 0 arrears, due to the disbanded officers and soldiers and other persons in a schedule, to the said Commission annexed, mentioned, which Commission is in the same terms and Instructions (*mutatis mutandis*) with that Commission issued unto the County of Cork for the setting out of lands to the disbanded forces there, which bears date with these presents. The Commission by which the said baronies were surveyed bore date 20th December last.

The Barony of Carbury is the first that is to be drawn lots for. The lots to be published by the above named persons seven days before the said lots are drawn. 10 Jan. *Ib.* f. 61.

453. A Commission, with the alterations hereafter mentioned, bearing date 10 January 1653[-4] (*mutatis mutandis*) with that of Cork, was directed to Lt.-Cols. Alexander Brayfield and Thos. Scott, Majors John Disbrow, Wm. Duckenfield, Capts. Wm. Heydon, John Quelsh, Walter Harcourt, Henry Packenham and Henry Wadinton Esq., or any three or more of them, to set out lands to the disbanded officers and soldiers of the Province of Leinster, who are to have satisfaction for their arrears in the County of Longford by lot, the number of 12,851 acres, 3 roods, $22\frac{2}{9}$ perches, according to the measure of 21 feet to the perch and 160 perches to the acre in satisfaction of the sum of £11,566. 14. 0, being the arrears of 145 persons in a list to this Commission particularly expressed. The said lands to be set out unto the said persons in the baronies of Racline [Rathcline] and Shrewle [Shrule] in the said County of Longford, according to the survey appointed to be taken of them by virtue of a Commission and Instructions bearing date 20th December last, at the rate of £900 per 1000 acres; and to begin to cast lots for the Barony of Racline. The lots to be published at Athlone and Mullingar by the above named persons five days before the said lots are drawn. 10 Jan. *Ib.* f. 63.

454. A Commission, bearing date 10 January 1653[-4] (*mutatis mutandis*) with that of Cork, was directed to Lt.-Cols. Simon Finch and John Honor, Majors John Read, Wm. Moore and Wm.

Stratton, Capts. John Peirson, Ralph Fenwick and Wm. Morris, Dr Wm. Bayley, Bartholomew Foulk and Wm. Bradbent Esqs., or any three or more of them, whereby they are empowered to set out lands to the officers and soldiers lately disbanded of the Province of Ulster, who are to have satisfaction for their arrears by lot in the baronies of Tullohonohoh [Tullyhunco] and Tullohay [Tullyhaw], Tulloghvein *alias* Tulloghgarvy [Tullygarvey], Iniskien *alias* Glanchie [Clankee], Rathnavin *alias* Clonemaghowne [Clanmahon], the Cavan *alias* Loughtee and Castleraghen [Castlerahan] in the County of Cavan and the baronies of Maghereboy, Clinawley and the half-barony of Knockninny in the County of Fermanagh, or any one or more of them, at the rates agreed upon at a General Council of Officers held at Dublin the 21st and 22nd November last, viz. £400 for every 1000 acres in the said County of Cavan, and for every 1000 acres in the County of Fermanagh £420. The sum due in arrears to the said officers and soldiers (being in number 1390 persons) doth amount to (according to the list annexed to the said Commission) the sum of £61,393. 17. 0 ; for satisfaction whereof there is to be set out unto them of lands, according to the rates set upon lands in the County of Cavan, the sum of 153,484 acres, 2 roods and 20 perches, or, according to the rates set upon lands in the County of Fermanagh 146,175 acres, 3 roods, $13\frac{7}{31}$ perches, according to the measure of 21 foot to the perch and 160 perches to the acre, the same to be set out by the surveys appointed to be taken of them by virtue of a Commission and Instructions dated 20th December last past. They are to begin to cast lots in the Barony of Tullygarvey, and before the lots be drawn they are to be published in the towns of Belturbet, Enniskillen, Charlemont and Dundalk, at least 7 days before that such lots are to be drawn ; the survey to be left with the Commissioners of Belturbet, and Majors John Read and Wm. Stratton, Dr Wm. Bayley and Bartholomew Foulk are to administer the oath to the persons abovesaid. Sent with this Commission in the same box 1425 certificates 4 May 1653 [*recte* 1654]. 10 Jan. *Ib.* f. 73.

455. Ordered that the Governors of Carlow, Kilkenny, Clonmel, Wexford, Ross, and Waterford be authorised to arrest all vagrants and rogues, men and women, and deliver them

unto Capt. Thos. Morgan,¹ Dudley North and John Johnson of Waterford, English merchants, to be transported to the West Indies; provided that no person be apprehended by virtue of this Order, who is enlisted as a member of any family, for whose good behaviour the master of the family will answer, and provided they be not guilty of blood, or prisoners for debt. 20 Jan. Orders A/85. 45. ff. 66-7.

456. Whereas several murders and robberies have been lately committed by wicked and bloody rebels, who live upon rapine and spoil, to the great terror of such as desire to live peaceably under the Government, all Irish and Papists in the different precincts are hereby required forthwith, upon publication of this Order, to deliver and bring in all their arms and ammunition. All such who fail to do so within six days (unless specially licensed) shall be judged and taken for enemies. 23 Jan. *Ib.* ff. 72-4.

457. THE COMMISSIONERS TO SIR C. COOTE.

“There being lately several Commissions issued forth to the respective precincts in Ireland for the examination of the delinquency of such persons as have acted or assisted the Rebellion, that it may appear under what Qualification they respectively fall, who had, or claim to have interest in lands, and calling to mind your Lordship’s offer of proofs, on the behalf of the Commonwealth, against most of the persons who have any considerable estates in Connaught, we conceive it may much tend to public advantage that your Lordship would be pleased to give your assistance to the Commissioners at Galway in that service, so often as your other affairs will give you leave. For which end the enclosed Order is sent you, your name being omitted by the clerk that drew the Commission.” 30 Jan. Domestic Corresp. A/90. 50. f. 604.

458. OLIVER CROMWELL TO FLEETWOOD.

“Some merchants of the city of Bristol having petitioned to me for licence to transport 400 of the Irish Tories, and such other idle and vagrant persons as may be thought fittest to be spared

¹ Apparently Capt. Thos. Morgan of Barbados, who married Mary, daughter of Edward Butler of Barbados.

out of Ireland, for planting of the Caribbee Islands, which address of theirs I do recommend to your consideration that their desire therein may be granted in such a way as to you shall seem fit and expedient." Whitehall, 30 Jan. Letters of the Lord Protector and Council of State A/28. 26. f. 28.

459. Ordered that it be referred to the Commissioners appointed to examine the delinquency of proprietors within the Precinct of Waterford, to inform themselves by the best ways and means they can in the carriage and demeanour of Sir Thomas Sherlock Kt.¹ during the time of the Rebellion, and to certify the same, close sealed up, to the Commissioners of the Commonwealth, with all convenient speed. 1 Feb. Orders A/85. 45. f. 94.

460. Upon the petition of Sir Thomas Sherlock, and consideration had thereof, and the certificate annexed, it is thought fit and ordered that he be dispensed with from transplantation into Connaught until further order ; and it is referred unto the Commissioners at Waterford to set out unto him some part of his estate, not exceeding two plough-lands, for one year, from May next, at a certain rent in lieu of contribution and all other country charges, upon such terms as they shall judge reasonable. 1 Feb. *Ib.* f. 94.

461. "Whereas several Commissions have been issued forth, directed unto several persons in the respective precincts in Ireland, for the examination of the delinquency of such persons as have acted or assisted in the Rebellion of Ireland against the Parliament and Commonwealth of England, for the more quick despatch of that service, it is hereby ordered that the persons

¹ Sir Thomas Sherlock of Waterford, described in 1643 as a Gentleman of the King's Privy Chamber, had, at the outbreak of the Rebellion, taken a determined part as captain of a company of foot under Sir W. St Leger, against the Irish, but being afterwards forced by them, with his wife and children, out of house and home, he managed to escape to Dublin, where he remained till Ormond surrendered the city to the Parliament, when he was allowed as a special favour to go to England. According to his petition at the Restoration (*Cal. State Papers, Irel.*, 1660, p. 36) he received several orders from the Commissioners of Parliament to be allowed to enjoy his lands, but was kept out of them by the "greatness and power" of Miles Corbett. His application to the King at the Restoration was not more successful, and dying in 1663, worn out by poverty and despair, his son Paul received a small concordatum from the Council to defray the expenses of his burial. See his case in Prendergast, *Cromwellian Settlement*, pp. 274-5.

entrusted to take the said examinations do, in the first place, inquire of and examine (according to the tenor of their foresaid Commissions) the delinquency of the said persons in the first year of the Rebellion, and where they find by good proof any of the said persons to be guilty of murder, or to be comprehended in the first Qualification of the Act for the Settling of Ireland, by having acted or assisted the Rebellion in the first year thereof, as is mentioned in the said Qualification, they are not to proceed any further in the examination of witnesses for the proving of crimes, which tend not to the forfeiture of life and estate, according to the tenor of the said Act." 8 Feb. *Ib.* f. 103.

462. THE COMMISSIONERS TO THE LORD PROTECTOR.

"The enclosed is a copy of a letter ¹ sent in July last to the Committee at Whitehall for Irish Affairs, representing the necessity of a mint in this country. But they being through multiplicity of business hindered, and nothing since effected in it, we have taken the boldness humbly to apply ourselves to your Highness, in regard the inconvenience which we find to have happened to your affairs here, since our first application, for a power to coin the foreign money into English (for the reasons formerly set forth) is so great, and that sort of money generally so falsified, that the stock of the country (in money) is conceived to be detrimented thereby above one-third part, there being scarce any coin now left but foreign, and that for the most part coarse Peru pieces, the English money (and for want of that) the best sort of Spanish being bought up by merchants to make their returns into England, for want of commodities in barter to exchange here. A proof of the value of which coarse Peru hath by our order been lately made, by which it did appear that £635 of Peru money at the rate of four shillings and sixpence each piece (being the rate now current) melted down, did yield in sterling money, upon an exact assay thereof, but £401, so that £233 (*sic*) was lost in that small parcel at the rates now usual. Besides this loss in the coarse Peru we find by the relation of your officers here, entrusted with the receipts of the Revenue, that very much of the foreign money, which runs in payment, is

¹ Domestic Corresp. A/90. 50. ff. 516-17.

altogether brass and counterfeit. Upon the whole, therefore, we humbly conceive that unless some speedy course be taken to call in all base foreign monies, and reduce it into English coin, there will be in a short time no money left to pay your forces, or for necessary exchange amongst the people, but counterfeit and bad money, and consequently your affairs here will unavoidably fall into disorder. . . ." 16 Feb. Domestic Corresp. A/90. 50. f. 616.

463. SAME TO COLONEL RICHARDS.¹

" Understanding there were several books of the proceedings of the Supreme Council of the Confederate Catholics in Ireland,² and other papers of public concernment lately seized and come into your hands, we desired Col. Sankey to send for them. . . . We look upon it [as] a business of very great weight. . . ." 20 Feb. *Ib.* f. 620.

464. COUNCIL OF STATE TO THE COMMISSIONERS FOR IRELAND.

" It hath been represented to his Highness and his Council that you have caused the Proclamation of 15th December last, for declaring his Highness the Lord Protector of the Commonwealth of England, Scotland and Ireland to be published in Ireland, which is accepted by his Highness and the Council as a singular testimony of your care and affection to the public justice and peace of that nation, and for which they hereby return their thanks, hoping that all the parts of this Commonwealth will receive such an eminent advantage by the change of the government, as shall engage the hearts of all honest men to acknowledge and bless the wisdom and goodness of that providence that hath so disposed it." Whitehall, 21 Feb. Letters of the Lord Protector and Council A/28. 26. f. 29.

¹ Col. Solomon Richards came to Ireland in command of a regiment of foot in 1652. He was for some time stationed at Clonmel, and in 1659 he was made Governor of Wexford. In 1688 he was given a regiment of foot by James II, but going over to William he and Col. Cunningham were sent to reinforce the garrison at Derry; but bungling the business he was, on returning to England, imprisoned and cashiered the army. (*Cf.* Ludlow, *Memoirs*, ii, p. 193, with Firth's note.)

² The proceedings of the Supreme Council of the Confederates were of the utmost importance to the Government as enabling it to decide as to the degree of guilt of most of the Catholic landowners of Ireland. Most of these documents perished in the fire which destroyed the Council office in 1711. Five volumes which were saved, chiefly relating to revenue, are now in the Public Record Office, Dublin.

465. These are to certify all whom it shall concern that we, Methuselah Turner, Robt. Hammon, Henry Bandriffe, Nath. Manton, Elias Roberts, Thos. Hubbard, Francis Blomer, Col. Geo. Gill and Lt.-Col. John Fenton, or any five of us, (being entrusted and authorised by an Order of the Council of State, bearing date 1st June 1653, to examine and allow of all claims by Adventurers for lands in Ireland, and by an Act of Parliament (amongst other things) confirming the said Order, entitled 'An Act for the speedy and effectual satisfaction' etc., to divide by baronies each of the said counties following, that is to say the counties of Eastmeath, Westmeath, Queen's County and King's County in the Province of Leinster; Waterford, Tipperary and Limerick in the Province of Munster; Armagh, Down and Antrim in the Province of Ulster into two moieties, as equally and indifferently as we can), in pursuance of the said Act, upon return made unto us of the surveys of each of the said ten counties, as, by the Instructions in the said Act mentioned is directed, and upon the computing the quantities of lands mentioned in the same survey of each barony, have thereupon divided each of the said counties by baronies into two moieties as equally and indifferently as we can; and that by a lot drawn at Grocers' Hall, London, upon 24th January last past before the date hereof, by Col. John Hewson and Major Anthony Morgan, being appointed by his Highness the Lord Protector to draw a lot or lots on the behalf of the soldiery, for the dividing each county by baronies between the said Adventurers and the officers and soldiers, in the said Act mentioned, the several baronies hereafter specified are to be for and towards the satisfaction of the arrears of pay due to the said officers and soldiers according to the said Act, and did by a lot fall to the said officers and soldiers within each of the said ten counties, that is to say within the County of Eastmeath, the baronies of Kells, Moyfenrath, Duleek, Dunboye, Ratoath and the half-barony of Fore.

County of Westmeath, the baronies of Clonlonan, Moycashell, Moycoish, Corkaree, Delvin, Farbill, territories of Birraconway with the lands of Moydrum adjoining thereunto.

Queen's County, the baronies of Upper Ossory and Ballyadams.

King's County, the baronies of Philipstown, Ballycowan, Kilcoursey, Coolestown, Warrenstown, Clonlisk and Ballyboy.

County of Waterford, the baronies of Upper-Third, Glenahiry, Gaultier and Middle-Third.

County of Tipperary, the baronies of Kilnamanagh, Kilnalong, Upper Ormond, Lower Ormond, Owney and Arra, Owney-Mulrian, Slieveardagh and Comsy.

County of Limerick, the baronies of Clanwilliam, Kilmallock, Small County, Owneybeg, Coshma, Coshlea, and the city and liberties of Limerick.

County of Armagh, the baronies of Orior and Fews.

County of Down, the baronies of Castlereagh, Lower-Iveagh, Kinelarty and Dufferin.

County of Antrim, the baronies of Glenarm, Antrim, Toome, Kilconway, and Cary.

And that by one other lot drawn at Grocers' Hall aforesaid, upon the said 24th January last past by Samuel Avery of London, being appointed to draw a lot or lots on the behalf of the said Adventurers, for the dividing each county by baronies between the said Adventurers and the said officers and soldiers, the several baronies hereafter specified are to be for and towards the satisfaction of the said Adventurers, and did fall by lot to the said Adventurers within each of the said ten counties, that is to say within the said County of Eastmeath, the baronies of Skreene, Navan, Morgallion, Deece, Lune and Slane.

County of Westmeath, the baronies of Kilkenny, Rathconrath, Fore, Moyashell *alias* Mogheradernon and Fartullagh.

Queen's County, the baronies of Stradbally, Cullenagh, Tinahinch, Maryborough, and Slievemargy.

King's County, the baronies of Eglish, Garrycastle, Ballybritt, Geashill and parish of Lismagh.

County of Waterford, the baronies of Decies, Coshmore and Coshbride, and liberties of Waterford.

County of Tipperary, the baronies of Middlethird, Clanwilliam, Iffa and Offa, Eliogarty, Ikerrin, and Ileagh.

County of Limerick, the baronies of Connello, Coonagh, Pubblebrien, and Kenry.

County of Armagh, the baronies of Oneilland, Armagh, and Tiranny.

County of Down, the baronies of Newry, Mourne, Ards, Lecale, and Upper Iveagh.

County of Antrim, the baronies of Belfast, Dunluce, Masereene, and Carrickfergus.

In witness whereof we have hereunto set our hands and seals this 21st February 1653[-4] Meth. Turner, Robt. Hammon, etc. Acknowledged before me the 21st March 1653[-4] by Meth. Turner etc., I say acknowledged before me John Page, one of the Masters in Chancery the day and year aforesaid.

Endorsed. The Officers and Soldiers' Certificates, enrolled in the Chancery the 22nd March in the year within written by Thomas Edwards. 21 Feb. Orders for Lands A/81. 41. ff. 69-72.

466. THE COMMISSIONERS TO THE COMMISSIONERS FOR SETTING OUT LANDS TO THE IRISH TO BE TRANSPLANTED.

"We received yours of the 22nd inst., and as for the errors, mistakes and differences you meet with in the abstracts of the surveys, we conceive it a matter which cannot be avoided, though the originals were sent as you desire. Our advice is that you make the best use you can of those surveys and estimates you have in your hands, and keep as close to your Instructions as the work will admit. Where there is a necessity to vary, it must be complied with, and the rather in regard that what you do at present is not to be final or conclusive to the Commonwealth. . . ." 1 March. Domestic Corresp. A/90. 50. f. 623.

467. SAME TO THE PROTECTOR.

"Whereas the High Court of Justice erected for the trial of murders and massacres done in Ireland since 21st October 1641, at present are in some difficulty to proceed against offenders brought before them and now ready for their trial, for that, by the late Ordinance published by your Highness and your Council, declaring what offences shall be judged treason and no other, there is no provision made for any murder done in Ireland, which by the laws here are adjudged treason. The particulars whereof may better appear by the enclosed [wanting] state of the matter of fact presented to us by the judges of that Court.

Likewise the same scruple is made concerning any proceedings to be had against such persons as have contrived, acted, aided and assisted the rebellion in this nation since 21st October 1641. All which we hold our duty to present to your Highness, to the end that directions may be given to your ministers here in cases of this nature." 1 March. *Ib.* f. 625.

468. SAME TO THE COMMISSIONERS AT LOUGHREA FOR SETTING OUT LANDS TO THE TRANSPLANTED.

" Having considered of your letter and queries lately sent us, and of the report of the Committee for Transplantation concerning the same, we return in answer thereunto these ensuing resolutions :—1. As to the shortness of the Abstract of surveys mentioned in the said letter, we conceive that the tenth head of your Instructions is very clear in that point, wherein you are advised to hold to such computation or admeasurement as is most for the advantage of the Commonwealth, and not to be guided by the said Abstract any further than by going below them ; and as to what lands belong to proprietors, and are not forfeited, we leave them with the Commissioners of the Revenue upon the place in case of doubt, to judge thereof, and to proceed accordingly.

" 2. As to an allowance for surveyors and other persons employed by you . . . there is a warrant already issued to the Commissioners of Revenue at Galway to issue out money for the defraying those incident charges.

" 3. And as to the rates of lands, mentioned in the said letter, to be set out, we judge the rates following to be indifferent and do not think it advisable to be over strict in that particular, lest it might tend to the hindrance of the increase of the stock of cattle ; but as to such as are not to have lands in their right as proprietors there, you are to contract with them as with tenants which take lands for rent, as well as contribution. The rates are as followeth :—That for each acre of winter corn three acres of land be allowed (summer corn and fallow being included). That for each cow, ox, or bullock (of 2 years old and upwards) three acres. That for each yearling an acre. That for each garran, nag, or mare (of 3 years old and upwards) four acres. That for each yearling colt or filly an acre and half. For every

three sheep an acre, and for goats and swine proportionably. And to every fifty acres assigned, for house and gardens two acres, and so proportionably.

“4. As to your queries we return you the following resolutions:— To the first, touching ecclesiastical lands, such lands may be set out to such persons as will become tenants to the Commonwealth for the same. To the second, we do not conceive it advisable to rely upon the Abstract of the surveys in point of the Commonwealth's interest in proprietors' lands; but leave you to be advised by the Commissioners of the Revenue of the precinct, which of those proprietors' lands are fit to be set out, and which not, and as you shall find cause to desire their opinion in it, the said abstracts being of old surveys before the Rebellion. To the third, there is a Commission gone out already for the surveying of the baronies of Tireragh and Carbury, within which the territory of Sligo is included, as we conceive. As for the lands excepted near Galway, it is advisable that you fix no persons upon such lands that border upon those excepted lands, but such as take lands from you as tenants to the Commonwealth. To the fourth, where such persons (who are not in the pay of the Commonwealth) are employed to set out lands, they may have such moderate allowance as you shall judge reasonable for that service, and if the said Order already sent to you, and the sum appointed for them therein for the defraying the incident charges fall short, you are to inform the Commissioners of the Commonwealth thereof, and what allowance you think fit to make such persons. Then further order shall be taken therein; but you are in this particular to be careful not to draw any charge upon the Treasury, but what shall be found necessary and unavoidable. To the fifth, we conceive it reasonable that fallow should be accounted part of the tillage, and therefore have advised that the proportion of three acres should be set out for every acre of winter corn, summer corn and fallow included in the three acres. To the sixth, you are to observe the seventh and eighth heads of your Instructions, and where any of those that do remove, as tenants to proprietors, desire to become tenants to the Commonwealth in lands by themselves, distinct from their old landlords, you are to admit them, except, in case upon hearing of both parties, you find good cause to the contrary; but where you find that the

landlord cannot subsist without some tenants to plant with him, and that such tenants desire to be with him, you are to admit thereof so far as it may answer their necessities. To the seventh and last query, it is not conceived advisable that any further term should be granted by you to such as shall be tenants to the Commonwealth, but from year to year, the granting of a further time being intended to the Irish upon a more strict and exact survey of the lands and settlement of proprietors within that province." 6 March. *Ib.* ff. 628-630.

469. SAME TO SAME.

" We have considered of the doubts proposed by you in yours of the 1st inst. and of the report made by the Committee for Transplantation concerning the same, and upon the whole return you these ensuing resolutions. First, For such persons, who have presented their Certificates (though after the time limited in the Declaration) you are, notwithstanding, to receive those Certificates, and to cause them to be entered according to the time of their receipt, and also to proceed in giving out lands to such persons, according to the proportion of lands due to them by their Certificates respectively. Secondly, That such persons as are to be transplanted, and claim no interest in lands, may plant themselves on any lands belonging to the Commonwealth for their best conveniency, as you shall judge fitting ; provided they sit not down within ten miles of the river Shannon or in those other parts prohibited by your Instructions, without our special licence for that purpose. And lastly, That such persons as desire to become tenants to the Commonwealth, may be accepted of although they have neglected to take out their tickets." 6 March. *Ib.* f. 631.

470. " Upon consideration had of a Report of the Committee for Transplantation, touching the removal of the Irish and Papists out of the City of Kilkenny, unto whom it was formerly referred, it is thought fit and ordered that no Irish or Papists be permitted to reside or dwell within the said City of Kilkenny, or suburbs thereof, after the 1st May next, except such artificers and labourers only, as shall, by the governor of the said city for the time being, be judged necessary to continue there, and that by

special authority from the said Commissioners, or such others as shall be by them authorised thereunto ; provided that the number of them so permitted to stay there shall not exceed forty persons, which said persons are to be such who are not to be removed into Connaught by the tenor of the late Declarations in that behalf. . . ." 6 March. Orders A/85. 45. ff. 157-8.

471. A PARTICULAR ANSWER TO CERTAIN QUERIES MADE TOUCHING THE SETTING OUT LANDS TO THE NOW DISBANDED SOLDIERS.

1. Whether glebe lands are to be set out ? Yes, all.

2. What is to be done in the case of five or seven years' leases upon the late Instruction for setting of lands in Ireland ? The tenants are to enjoy their leases, and the persons to whose lots the same shall fall are to receive the rent reserved over and above contribution.

3. How to deal with those Protestant proprietors that have been in arms against the Commonwealth or have adhered unto or sided with the enemy ? In such cases the whole land is to be set out and the Delinquent is to have satisfaction elsewhere, for what shall appear to be due to him by the qualification. 8 March. *Ib.* ff. 169-70.

472. Referred to Sir C. Coote, Lord President of Connaught, Col. Peter Stubbers, Lt.-Col. Brayfield, Major Miles Sumner to consider what garrisons and castles ought to be destroyed in Connaught and Clare, and what garrisons ought to be maintained along the line of the Shannon, and the number of forces required. 9 March. *Ib.* ff. 176-8.

473. THE COMMISSIONERS TO SIR C. COOTE.

Require him to see to the careful demolition of all superfluous castles in Connaught and the County of Clare. 10 March. Domestic Corresp. A/90. 50. f. 632.

474. " Whereas by the laws of Ireland the proceedings in case of murder and against murderers hath been used to be as in case of treason and against traitors, whereupon a doubt hath arisen

whether by the Ordinance entituled—' An Ordinance declaring that the offences therein mentioned and none other shall be adjudged high treason within the Commonwealth of England, Scotland and Ireland and the Dominions thereunto belonging ' ¹ —the same be not taken away and repealed ; for clearing whereof, be it declared, ordained and established by his Highness, the Lord Protector, by and with the advice and consent of his Council that the offence, proceedings, and punishment in case of murder and murderers in Ireland, and all commanders, aiders or abettors in or unto any such fact or person shall remain, continue, and be the same to all intents and purposes as the same was and were before the making of the said Ordinance, and as if the said Ordinance had not been made, anything therein contained, or any law or statute to the contrary thereof in any wise notwithstanding." 20 March. Letters of the Lord Protector and Council. A/28. 26. f. 30.

475. THE COMMISSIONERS TO THE COMMISSIONERS FOR PUBLIC AFFAIRS IN THE PRECINCTS OF CORK AND LIMERICK.

" You will perceive by the enclosed papers what Orders and Instructions are issued out for the transporting of those Irish, that are gathered together and are now a great burden to the country. We are informed that our Instructions and intentions herein are not well understood by some of the persons entrusted in this service, and therefore we desire your special inspection and care of that service, and to issue out such further Instructions as you shall conceive requisite for the more effectual carrying on of that work, for the most advantage of the Commonwealth, and especially to give order forthwith to remove into the Great Island and Spike Island such Irish as are raised upon the account of Col. O'Dwyer, and are now quartering upon the country, and to cause them to be sent away with all the speed that may be." 21 March. Domestic Corresp. A/90. 50. f. 634. *Enclosed.*

475 (i). Commissioners to Col. Phaire,¹ Majors Wallis, Hodden, Easy Thomas, and Thos. Woodliff regarding transportation of the Irish, with an Order for £1330 to be paid out of the Treasury at Clonmel for that purpose. 10 March. *Ib.* f. 633.

¹ 19 Jan. 1654. See Firth and Rait, *Acts and Ordinances*, ii, p. 831.

476. OLIVER CROMWELL TO THE COMMISSIONERS FOR IRELAND.

“ There hath been an address made to us on the behalf of the bearer hereof, Col. Daniel Treswell,¹ that he may have licence to raise and transport 3000 of the native Irish out of Ireland into Flanders, which we have thought fit to grant, and do therefore recommend it to you to give to him, and such as shall be employed under him for levying of the said men, and also to those who shall undertake the transportation of them, such assistance and accommodation as shall be requisite for the effecting thereof, leaving it to you to take such caution and security that those men so to be transported shall not be employed against the Commonwealth, and to give such orders and directions as to the manner of raising, marching and transporting of them as you shall judge meet and convenient, it being our pleasure that this gentleman may have all lawful favour and furtherance for the speedy despatch of this affair.” Whitehall, 23 March. Letters of the Lord Protector and Council A/28. 26 f. 31.

477. Ordered and declared that the officer for the time being commanding-in-chief the forces within every respective precinct, and the Commissioners of Revenue there, are authorised to inform themselves of such persons, that are Popish Recusants or Irish, within their respective precincts, that by former Declarations are to be removed into Connaught and the County of Clare, whom they shall judge fitting and necessary to be dispensed withal for their said removing and transplantation ; and to that end they are hereby authorised to send for all parties and witnesses, and to examine such witnesses as are Protestants and persons of credit upon oath, and such evidence as they shall find to be material to set the same down in writing ; and if upon due proof and evidence appearing before them, they shall judge any such persons fit or necessary to be dispensed withal, as abovesaid, they are to certify such persons, and the reasons of such dispensations and the proofs inducing them thereunto unto the Commissioners of the Commonwealth at or before

¹ Col. Daniel Treswell served in the Irish army from before the Rebellion till 1647, when Ormond surrendered Dublin to the Parliament. He appears to have been imprisoned for some time. After the Restoration Ormond, who described him as a “ worthy and honest gentleman,” interested himself in his behalf, and he was appointed a trustee for him and the Duke of Albemarle. In 1665 he was created a baronet.

10th May now next ensuing ; and in the meantime they shall and may give dispensations and licences to all such persons respectively under their hands for their stay until 1st June next ensuing and no longer ; provided they be granted only to persons under the following qualifications viz.

1. Persons weak and infirm by age, sickness, lameness and such like infirmities, whereof they are or shall be in danger or peril of their lives in case they shall be transplanted.

2. To persons not having been of any of the Councils with the Irish rebels, nor of their armies, nor took their Oaths of Association, but, having lived always peaceably and quietly towards the English and Protestants, have at any time done any eminent service in discovering of the rebels, or in aiding the English army and their parties, or have sheltered and protected any English or Protestants from being murdered and destroyed by the Irish rebels.

3. To persons that have or shall give any good and sufficient evidence and testimony of their real renouncing the Popish superstitions, especially of the Mass and the Supremacy of the Pope and Bishop of Rome, and also their desire and willingness to hear such as shall and may better instruct them in the true and saving knowledge of Jesus Christ's Gospel and truths.

Provided also that such persons, so to be dispensed withal, having any real estates in any county within the provinces of Leinster, Munster, or Ulster, shall not be adjudged, deemed or taken to be proprietors, or to continue the enjoyment of all or any part of his or their said real estates in the said provinces ; but such part of his or their real estates, as by the Act of Settlement he or they are declared to enjoy, he and they are to have satisfaction for the same in lands in Connaught or Clare ; and the Commissioners sitting at Loughrea, authorised to proceed in such cases, are required, upon application made to them, by any on the behalf of such persons so to be dispensed with as abovesaid, to assign and to set out such lands unto them in Connaught and Clare, as by Orders and Rules given unto them they are to set out unto others that are or shall be actually transplanted, and to permit the agents, servants and assigns of such persons so to be dispensed with, to enjoy the same, they behaving themselves as they ought to do. But as to their holdings, being in any of the provinces of Leinster, Munster and Ulster, such persons,

as are so to be dispensed withal as abovesaid, shall and may enjoy such lands as shall be necessary for their relief and support, as tenants to the Commonwealth, and not in their own right, paying contribution and such reasonable rents for the same, as the Commissioners of Revenue in the respective precincts shall judge most fitting and for the most advantage of the Commonwealth, which they are to enjoy during the time they shall be dispensed with for their said transplanting as abovesaid.

And it is further ordered and declared that no person whatsoever, who is by the late Declarations required to remove into Connaught or Clare at or before 1st May next, and hath or shall present his petition to be dispensed with for his transplantation, may (upon pretence of attending for an answer to the same) plead that for his staying longer, or not removing by the time limited as aforesaid, unless such person, upon due proof as aforesaid, shall be adjudged worthy of dispensation. Whereof all whom it may concern are to take notice. 27 March. Orders A/85. 45. ff. 261-3.

478. OLIVER CROMWELL TO THE COMMISSIONERS.

“ The Earl of Westmeath having represented unto us a copy of the late Order and proceedings of the Committee of Articles in his Lordship’s case, in order to his relief, which is here enclosed [wanting], and also setting forth the great expense and damage he hath sustained by his journey out of Ireland, and long attendance there, for the obtaining relief upon his Articles according to former Orders of the said Committee, without any fruit or effect, we, being sensible how much the faith of the army and our own honour and justice is concerned in the just performance of articles, do think fit to recommend unto you the speedy putting of the said Orders and judgment of the said Committee in execution, it being our will and pleasure that all due obedience be yielded thereunto.” Whitehall, 29 March. Letters of the Lord Protector and Council A/28. 26. f. 32.

479. THE COMMISSIONERS TO THE COMMISSIONERS OF REVENUE OF BELFAST AND LONDONDERRY.

“ Understanding that there is a want of godly and well-affected ministers in most parts of Ulster, whereby the good

people there inhabiting become destitute of those spiritual comforts they might otherwise enjoy, and mutually endeavour the enlarging of the kingdom of Jesus Christ, which, as it is our duty to promote, so ought it to be our care to lay hold upon all opportunities conducing to so necessary a work. In order whereunto we recommend unto your faithful inquiry such persons of the Scots nation, and living in your respective precincts, as you may have reason to believe godly, of peaceable, not of turbulent dispositions, but qualified for that service, the which being certified, we shall (through the blessing of God) make so seasonable a return as will afford them due encouragement and suit with your desires." ¹ 1 April. Domestic Corresp. A/90. 50. f. 638.

480. SAME TO LIEUT.-COLONEL NELSON ² AND THE REST OF THE PERSONS APPOINTED TO EXAMINE THE ARTICLES PREFERRED AGAINST MAJOR OUSLY.

"The return you make in the business referred unto you concerning Major Ously ³ and Capt. Browne no way answers our expectations, for we desired you to proceed to the examination of witnesses to the end we might judge of the validity of the proofs, and not to offer your sense upon the thing, it being neither to our satisfaction that misdemeanours should be smothered, nor for his trial, which, in pursuing our Instructions, will give us the right understanding of the matter in variance, and consequently of doing therein what shall be agreeable to justice." 3 April. *Ib.* f. 638.

481. Upon reading the petition and papers of the old native inhabitants of Limerick, it being alleged by them that they have laboured, as much as in them lay, to preserve the English Interest in that city, and to surrender to the English, whereby they became odious to the Irish, and therefore desired some place on the river Shannon to be assigned them for their residence, and

¹ A number of Scottish ministers were accordingly licensed. See A/91. 51. f. 57.

² See note, p. 309.

³ What this charge against Major Ously was does not appear. The Ouslys were a co. Mayo family, settled there since about the end of Elizabeth's reign. The Captain John Browne was probably the Major John Browne of the Neale, a neighbour of Ously, afterwards arrested for disaffection to the Government of the Commonwealth. See p. 703.

upon consideration had thereof, and of the report of the Committee for Transplantation, it is ordered that the petitioners, as to their merits and qualifications, be referred unto the officer commanding in chief and the Commissioners of Revenue within the Precinct of Limerick, who are to proceed therein according to the tenor of the late printed Declaration¹ of 27th March last, directing them in this and like cases; and, as to their place of residence, it is further referred unto the Commissioners at Loughrea, who are to consider thereof, and to do therein as shall be agreeable to the Rules and Instructions given them in that behalf. 4 April. Orders A/85. 45. f. 244.

482. T. HERBERT TO LORD LOWTHER.

"I am ordered by the Commissioners of the Commonwealth of England for the affairs of Ireland to send your Lordship the enclosed, which is a true copy of a late Ordinance made by his Highness, the Lord Protector and his Council, and your Lordship is desired by the said Commissioners to communicate the same unto the High Court of Justice, and likewise to the Commissioners appointed for the administration of justice in Dublin, to the end they may proceed in the execution of justice according to the tenor thereof." 5 April. Domestic Corresp. A/90. 50. f. 64I. *Enclosed.*

482 (i). THE LORD PROTECTOR TO THE COMMISSIONERS OF THE COMMONWEALTH.²

"There hath been a petition presented unto us by Edward Lord Clinton, John Milward, and John Agard Esquires, representing that, being by your order dispossessed of certain lands in Ireland, which were sold unto them by persons comprehended in the Articles of Dublin,³ they cannot get to be reinvested in the possession thereof, notwithstanding the same is adjudged unto them or their assigns by the Court appointed by Parliament for relief upon Articles of War, and was seconded by a letter from the late Council of State. Upon consideration whereof, and on a view of the Order of the

¹ See No. 477.

² It is doubtful if this is the enclosure referred to in the preceding letter, but see below, No. 486.

³ See pp. 125-126, 295.

said Court of Articles of 15th July last (a copy whereof is here enclosed), decreeing the possession of the lands therein mentioned unto the petitioners, together with satisfaction for the rents or profits received or levied contrary to the said Articles and that Decree, not only made upon hearing the counsel for the Commonwealth, but also upon consideration had of what you had to offer ; and having likewise considered of your letter of 5th October last to the said Court, and the state of the case there enclosed, and of your other orders and letters directed thither, we see no cause why the said Order of the Court of Articles, above mentioned and here enclosed, should not be put in execution, and do therefore recommend it unto you to take care that justice may be done unto the petitioners so as they may have no further cause to complain." Whitehall, 16 Feb. *Ib.* f. 646.

483. OLIVER CROMWELL TO THE COMMISSIONERS FOR IRELAND.

" Being informed that this bearer Francis Blomer Esq. is speedily to repair into Ireland, being employed by Gregory Clement ¹ Esq. concerning some lands in the King's County, assigned to him for his Adventure, and whereas the said Blomer, as I am also informed, hath undertaken to transport near 100 families, who are also to go along with him for the planting of the said lands, it is my will and pleasure, upon his application to you, that you give order for the speedy surveying and setting forth the said lands unto him for the settlement of those people, that they be not too burdensome to him, and to show him all lawful favour and countenance in his addresses to you for their encouragement." Whitehall, 10 April. Letters of the Lord Protector and Council A/28. 26. f. 32.

484. " Whereas several Commissions have been issued for the setting out of lands to the officers and soldiers lately dis-

¹ Gregory Clement, of London, merchant, a regicide, advanced money in 1644-5-6 for the defence of the Munster garrisons. In settlement of the debt (£2193) owing to him by the State he received 7000 acres of land in the barony of Garrycastle, King's County, formerly the property of Terence O'Coghlan. He was executed at the Restoration and his lands passed to Sir Robert Preston. He does not appear to have proceeded with his intended plantation. Francis Blomer was an Adventurer and had on 1 June 1653 been appointed along with Methuselah Turner and others to devise a plan for allotting lands to the Adventurers.

banded in satisfaction of their arrears, to the end the persons entrusted in that service may proceed in the setting out of lands for the end aforesaid out of such lands only as are appointed for that use, it is hereby ordered and declared that, by an Act of Parliament, entituled an 'Act for the speedy and effectual satisfaction of the Adventurers' etc., and by the Commission and Instructions given the said Commissioners of the Commonwealth for the setting out of lands to the said officers and soldiers for their arrears, and printed with the said Act, power is given unto the said Commissioners for the setting out of lands unto the said disbanded officers and soldiers in satisfaction of their arrears, out of the lands forfeited to the Commonwealth in Ireland and no other, and the persons, appointed for the setting out of lands in satisfaction of the said arrears, are required to take notice hereof, and not to proceed to the setting out of any lands lately belonging to bishops, or deans and chapters, nor out of any other lands, save only the lands forfeited to the Commonwealth as aforesaid. And, to the end that no doubt may remain (to the delaying of the said service) touching what lands shall be accounted forfeited lands, it is hereby further declared that the lands formerly belonging to all such persons, who by the tenor of the said Act and Instructions are to remove into Connaught or County of Clare, are to be accounted forfeited lands, although no proof be made against such persons that they have acted, aided, or assisted the Rebellion." 12 April. Orders A/85. 45. ff. 268-9.

485. "Ordered that Benjamin Worsley¹ Esq., Surveyor-General, do forthwith authorise and appoint fit and able persons to survey, admeasure, and set forth all and singular the

¹ Benjamin Worsley came to Ireland in 1652 at the same time as Sir William Petty, who describes him as a dealer in schemes for a universal medicine, for making gold, sowing saltpetre, establishing a universal trade and other "mountain-bellied conceptions"; and who having been frustrated as to his many great designs in England, hoped to improve and repair himself upon a less knowing and more credulous people (Fitzmaurice, *Life of Petty*, p. 29). He was for some time (1653) Secretary to the Commissioners, being succeeded, on his appointment as Surveyor-General, by Col. Thomas Herbert. Though allowed to retain the post of Surveyor-General he was shortly afterwards practically superseded in the work of admeasuring the forfeited lands in Ireland by Petty. See below, No. 571. It was the unsatisfactory nature of the survey taken under this Order—the so-called Civil Survey—which led Petty to offer to undertake a more exact admeasurement of the forfeited lands in Ireland.

honours, baronies, castles, manors, lands, tenements and hereditaments, lately belonging to all and every the rebels in Ireland and forfeited to the Commonwealth, and all and singular the other honours, manors, castles, lands, tenements and hereditaments lately belonging to the Crown, or to archbishops, bishops, deans, deans and chapters, or other officers or persons belonging to that Hierarchy in Ireland and in the dispose of the Commonwealth, situate, lying and being in the counties of Limerick, Tipperary, Waterford, King's County, Queen's County, Eastmeath, Westmeath, Down, Antrim and Armagh, and in every of them respectively, so as the same may be certainly and distinctly known by their qualities, names, situations, meets, bounds, and other certainties, *i.e.* forfeited lands by themselves, Crown lands by themselves, and lands belonging to the said Hierarchy by themselves. And in taking of the said surveys and admeasurements the said Surveyor-General, and such other persons as shall be appointed by him to take the said surveys, are hereby authorised and required to observe, perform and execute all such Rules, Instructions and Clauses in an Act of Parliament, entituled 'An Act for the speedy and effectual satisfaction of the Adventurers for lands in Ireland' etc., and in one certain Commission and Instructions published in print with the said Act, bearing date 22nd June 1653, or in any of them contained, which by the said Surveyor-General and the said other persons are or ought to be observed. And for the more speedy satisfaction of officers and soldiers for their service in Ireland, it is further ordered that the said Surveyor-General do take care and issue out his orders and instructions in the first place for the surveying and admeasurement of such baronies, within the said counties, as by lot (drawn at Grocers' Hall,¹ and certified under the hands of the Commissioners appointed for that service) is fallen to the soldiers."² 14 April. *Ib.* ff. 277-8.

486. THE COMMISSIONERS TO THE LORD PROTECTOR.

"We received your letter of 16th February, touching the petition of the Lord Clinton, John Milward and John Agard to the Committee for Articles in England and the proceedings there-

¹ Built in 1427, on the site of the present Hall, between the Poultry and Princes Street.

² See No. 465.

upon, requiring us to take care that justice may be done unto the petitioners. In obedience thereunto we have informed ourselves of what Orders we received from the said Committee and what returns we made thereupon ; and the better to satisfy your Highness in our actings in this particular we transmitted all the papers and proceedings before us concerning that matter unto Sir Gerard Lowther, Kt., late Chief Justice of the Common Pleas, and now one of the Commissioners for administration of Justice at Dublin and William Basill Esq. Attorney-General, with power to make a full and true statement of the whole case and all proceedings had therein ; which coming from them to us on the 13th of this inst. we humbly present the same to your Highness. We shall only add that we should have formerly submitted to the Order of the Committee for Articles, sitting at Westminster, but that we do humbly conceive that, by the Act for the Settlement of Ireland, we do find ourselves authorised to judge of Articles of War made in Ireland, and we cannot satisfy ourselves by what doth appear unto us, but that, in our judgment, the said lands now in question in truth do belong unto the Commonwealth, as being purchased by Colonel Oliver Fitzwilliam¹ in the names of the said other persons, as by the state of the case enclosed² doth appear ; and that the said Fitzwilliam is a Popish Recusant and eminently acting in the Irish Rebellion as Lt.-General to Preston, and as an agent for the Irish rebels in foreign parts in the year 1647, as appears by the enclosed papers [wanting] ; and that the Lord Clinton, Milward and Agard were never (that we could understand) any ways Delinquents and therefore not capable of claiming the benefit of the Dublin Articles. But having now presented the same unto your Highness, whatever order you shall please to give therein shall most readily be observed by us.

“ We make bold further to inform your Highness that we have received several Orders made by the said Committee for Articles

¹ This was Oliver Fitzwilliam, 2nd Viscount Merion. He is wrongly described by Lodge (*Peerage*, iv, p. 317) as Lt.-General to Ormond, but he wrote an extremely compromising letter (see below, p. 687) to the Supreme Council in 1646, and at the Restoration he was in consequence decreed a nocent. The decree was, however, voided, and being created Earl of Tyrconnell in 1663, he was restored to his estates. He died without issue in April 1667 and the title of Earl of Tyrconnell lapsed.

² Wanting ; but at the end of the Document is a postscript stating that it is given on p. 1 of the General Council Book of Foreign Affairs.

sitting at Westminster, whereby the Irish rebels, who came in upon the Articles made at Kilkenny in May 1652, and upon other articles made since, are to have their estates until a future Parliament in England shall declare what part of their estates they shall enjoy, and that they ought not to be transplanted into Connaught. Touching which articles, upon due and serious consideration had of them and of the Act of Settlement amongst ourselves, and with most of those officers that made those articles, we conceived it our duty to declare, and accordingly have declared and published the same in print, that the said Act, being passed long after the said articles, was a signification of the Parliament's pleasure concerning their estates, and accordingly have disposed their estates, and appointed their transplantation, as we humbly conceive it to be our duty. But we find our friends the Committee for Articles at Westminster are of a contrary opinion in the case of Sir Richard Barnewall,¹ one of the most eminent Delinquents in Ireland, and, if it be our duty in point of justice to admit him to enjoy his estate and not to be transplanted, the same rule binds us to admit all others to enjoy their estates, who have not been greater Delinquents than he, most Irishmen of estate being by articles to have the same conditions touching their estates, and consequently the satisfaction to the Adventurers and soldiers, and the transplanting of the Irish into Connaught are to be delayed until a future Parliament shall make some new declaration concerning them. And therefore we do humbly offer it to your Highness to consider whether it be not advisable, that the power of adjudication upon articles made here in Ireland be committed to such of your officers and other persons of trust in Ireland, as to your Highness shall seem fitting, because this case is of very high concernment to all your affairs in Ireland. We humbly pray that your pleasure herein be signified with what expedition your other great affairs will permit." 18 April. Domestic Corresp. A/90. 50. ff. 669-670.

487. Ordered that all vagabonds in the precincts of Limerick and Cork be apprehended and delivered to Captain John Norris

¹ See note, p. 148.

or his agent to be transported to the Caribbee Islands. 19 April. Orders A/85. 45. f. 287.

488. COUNCIL OF STATE TO THE COMMISSIONERS.

His Highness and the Council have conceived it most advantageous to the public service that the lands of the rebels in the four counties, Dublin, Cork, Kildare, and Carlow be only let from year to year. 26 April. Letters of the Lord Protector and Council. A/28. 26. f. 33.

489. T. HERBERT TO COLONEL FOULKE, GOVERNOR OF DROGHEDA.

"The Commissioners of the Commonwealth have received your letter of 25th inst., declaring that several persons, removing from your parts into Connaught, desire some time of stay for their wives, children, and stock, for the better enabling them to travel, and that it is your judgment that, by their short stay, the contribution and other public taxes will be the better secured and paid, they have commanded me to signify their pleasure accordingly, which is, that notwithstanding any former Rule, you may suspend the transplantation of such wives and children (whose husbands or parents are to go into Connaught) for such time as you shall judge fit (not exceeding 1st of July next) and may permit the stay of their cattle until they be in condition to drive, allowing but one servant to look unto the respective herds or flocks, and such servants to be neither proprietors, nor such as have been in arms against the Commonwealth." 27 April. Domestic Corresp. A/90. 50. f. 668.

490. INSTRUCTIONS TO WILLIAM ROWE¹ AND CAPTAIN KINDON AS TO MATTERS TO BE COMMUNICATED TO HIS HIGHNESS, THE LORD PROTECTOR CROMWELL.

1. As to the state of the Revenue.
2. As to the charge of the Army.
3. As to the decline of the Revenue and the disposal of lands.

¹ This William Rowe was apparently Secretary to the Scottish and Irish Committees of the Council of State. Capt. Richard Kindon or Kingdon was a Dublin merchant.

4. Seeing that the land at the disposal of the Commonwealth is insufficient to meet the charges placed on it, a General Council of Officers, at Dublin, in November last, resolved that new rates should be adopted, whereby each county was rated, as near as could be discovered, according to the intrinsic value of the lands contained therein, so that each man might be equally satisfied in whatever county his lot fell. Accordingly lands have been set out to the disbanded soldiers after this arrangement. Some are at present in possession of their lands and the rest will be settled before the beginning of June. Thus 4711 persons have been discharged from the State's pay and £282,209. 8. 0 of the Commonwealth's debt satisfied.

5. As to the insufficiency of land to satisfy arrears at the Adventurers' rates.

6. To inform his Highness that, in case satisfaction is to be given at the rates prescribed in the Act, the soldiers already disbanded and satisfied at the advanced rates must have nearly as much more land given them. 4 May. Orders A/85. 45. ff. 341-9.

491. On the petition of certain widows liable to transplantation into Connaught and Clare, and consideration had of the report of the Committee of Officers and the rest of the Committee for Transplantation, it is thought fit and ordered that for the better provision of widows of English extraction, liable to transplantation, the baronies of Athlone and Ballintober in County Roscommon and the baronies of Tulla and Bunratty in County Clare be reserved for them. 5 May. *Ib.* f. 337.

492. THE COMMISSIONERS TO THE COMMISSIONERS FOR SETTING OUT LANDS TO THE DISBANDED SOLDIERS, WHO ARE TO HAVE LANDS IN THE COUNTY OF CORK.

" . . . For the desire of those officers and soldiers that came in upon Articles with the Lord Muskerry to have leave (upon giving in security) to tarry with their friends on this side of the Shannon until they shall make their capitulation, and procure shipping to transport them, we shall approve of it, if shipping be ready, and that you shall upon the place judge it may be done with safety ; provided that all care be taken by you [that] they be

no charge or burden to the country, and that under colour of this suffrance no free-quarters be taken by any ; provided also that their stay be no longer than 10th July next, and that all the said persons do take out particular licences for their stay, in which licences the name of each person, his age, with the description of the colour of his hair etc. (as was formerly directed in the giving of tickets) are to be expressed." 6 May. Domestic Corresp. A/90. 50. f. 675.

493. OLIVER CROMWELL TO FLEETWOOD.

"By the Instrument,¹ whereby the government of this Commonwealth is settled, thirty persons are to be chosen and sent from Ireland to serve in the Parliament of this Commonwealth ; but the distribution of those persons in reference to the several places for which they are to serve, to wit what places are fit to send members to Parliament, and how to be proportioned, with the manner of electing them is not determined by the said Instrument, but left to me by advice of the Council, and we being now upon consideration thereof, do think it necessary that we should have the advice of yourself and the other Commissioners there upon the place in this business ; for which end I desire you to consider with the said Commissioners to what places, and in what manner the thirty persons may be distributed, with most equality, and with respect to the present affairs, and whether you conceive any places or parts in Ireland to be capable of electing members themselves, and if, under what qualifications, or whether the present condition of affairs be not such, as that particular persons be called by writ for the next Parliament. I desire your advice and judgment upon the whole with all the expedition that may be, because the time of the next Parliament draws nigh and the writs of summons are to issue out by the first of the next month." 9 May. Letters of the Lord Protector and Council A/28. 26. f. 35.

494. On consideration of the proposals of Capt. Joseph Deane ²

¹ Article IX of the Instrument of Government, passed 16 Dec. 1653. See Firth & Rait, *Acts and Ordinances*, ii, pp. 813-822.

² Capt. afterwards Major Joseph Deane, is said by Petty to have possessed no little skill at figures, all the same he had according to his own account been a considerable loser in the work of transporting the Irish abroad. In politics he was a man of moderate views and at the Restoration he was included in the

and the report of the standing Committee of Officers, to whom the case of the Irish in the Precinct of Cork was referred, it is ordered that Roger Lord Broghill, Col. Robert Phaire, Major Peter Wallis, Major [Robert] Cuppage, Capt. Coakely, Capt. Joseph Deane and Capt. Jervais, or any two or more of them (with the advice and assistance of the Commissioners of Revenue of the Precinct of Cork, or any one of them), be and are hereby empowered to put the following rules and directions in execution, and likewise to hear and determine any difference or controversy that shall happen to arise touching the same, viz.

“ 1. That they cause such Irish within that precinct, as shall not be transplanted, to draw themselves into villages and cohabit together in families, and that every such village shall consist of thirty families at least ; provided that the same may be done without apparent injury to the inhabitants, or prejudice to any person concerned therein ; provided further that they may dispense with such Irish from drawing together into villages, as aforesaid, as they shall see cause, and judge to be most for the advantage of the Commonwealth.

“ 2. That the said referees take care that no such village shall be allowed to stand or be placed within half-a-mile of any fastness (be it wood, bog or mountain) that may be adjudged a shelter for Tories.

“ 3. That in each of the said villages there may be appointed a head-man, constable, or tithing-man, to take care that the cattle belonging to that village may be brought together every night, and to see the watch set in convenient places, and that upon each watch there may be at least six men.

“ 4. That the former order for removing Irish inhabitants out of West Carbery be effectually put in execution, so that no Irish be admitted to live there, unless their remaining be of absolute necessity, as that the garrisons adjacent cannot subsist without them, of which necessity the said Capt. Deane and Major Cuppage are to adjudge.

“ 5. It is ordered that the line of protection in the County of

general pardon. He settled down in Dublin, becoming an alderman of the city. In 1665 he obtained, together with Sir Peter Pett, a farm of all the hearth money due in Ireland at a rent of £30,000. Next year he became, along with Sir R. Gethin and Sir P. Harvey, a farmer of the customs and excise. Ormond, though not unmindful of the part he had played under the Commonwealth, spoke highly of him. Cf. *Cal. State Papers, Irel.*, 1668, p. 565.

Cork be not at present enlarged, inasmuch as it appears that there is waste land enough within the said line for the use of the said inhabitants." 12 May. Orders A/85. 45. ff. 361-2.

495. Ordered that the officers commanding-in-chief, in the respective counties and precincts do make diligent search after those of the Irish who are to be transplanted into Connaught and Clare. 12 May. *Ib.* ff. 368-9.

496. In consequence of the difficulty and expense of collecting the land tax, it is ordered that the Commissioners of Revenue in the several precincts be authorised to let the land-excise to responsible persons, for a period not exceeding one year. 15 May. *Ib.* ff. 371-2.

497. THE COMMISSIONERS TO THE COMMISSIONERS OF THE RESPECTIVE PRECINCTS.

" . . . You are likewise to let, from year to year, all such lands as are in the dispose of the Commonwealth to such as will give most for them; provided it be not to any persons who, by the Declaration of 14th October last, are to remove into Connaught and Clare, and that those lands be let at the best yearly value that may be had for the same. You are also to take notice that where lands are let at a rent certain, including all taxes and other public charge due out of the same and stock thereupon, and that the said rent amounts to more than the fourth part of the present yearly value of the land and profit of the stock thereon, in such case the rent is to answer the tax of the fourth part of the value of lands and stock thereupon, and the tenant is to hold his land according to the conditions of his lease. . . ." 15 May. Domestic Corresp. A/90. 50. f. 694.

498. SAME TO THE COUNCIL.

The good report we have received from persons of integrity concerning Mr John Fitzgerald¹ (commonly called the Knight

¹ Son of William of Rathanan, and son-in-law of Lord Kerry, was the only Roman Catholic of rank in the County of Kerry who did not join the Rebellion. He was in consequence, excommunicated by the Roman Catholic bishop of the diocese. See Hickson, *Irish Massacres*, i, p. 154.

of Kerry) both in relation to his manifold sufferings under the barbarous Irish rebels for his affection to the English, and his adhering to their Interest, preserving of divers English Protestants in that county from the rage and cruelty of the rebels, and being trusted by the late Lord Deputy to manage (with others) the public affairs of that place as Commissioner of the Revenue, performing faithfully that service, it is desired that, notwithstanding his being a native and a Roman Catholic, he may be put into equal capacity with the English in their civil freedom and liberty as a sign of merit. 17 May. *Ib.* f. 689.

499. SAME TO THE SAME.

"The enclosed is a petition [wanting] lately presented us by Major [Robert] Ormsby and Capt. Oliver St George ^{be-} behalf of such of the English as either live in Connaught or have estates there, and have constantly adhered to the English Interest during all the late horrid Rebellion, which being a business of so great concernment both in relation to the public and the petitioners' security (as they allege), and not discerning any inconveniency to the public in granting the thing desired, we judge it proper for your cognisance, the Act not enabling us to make such exchange as is desired, and therefore we present the same unto your consideration that the petitioners in due time may receive such orders therein as you in your wisdom shall think fit." 18 May. *Ib.* f. 695.

500. SAME TO THE LORD PROTECTOR.

"In obedience to your commands, signified by your late letter concerning the elections of persons in this nation to serve in the next ensuing Parliament, we have considered of the present condition of this desolate country, wherein several counties lie totally waste and uninhabited, and in other counties the inhabitants not yet in any settled condition, which we doubt not is well known to your Highness. In which respect we cannot satisfy ourselves, as the present state of affairs here do stand, to

¹ Captain afterwards (1666) Sir Oliver St George was the son and heir of Sir George St George of Carrickdrumruske, co. Leitrim, who was the first of the St Georges to settle in Ireland towards the end of James I's reign. As the petition is not enclosed it is impossible to say precisely what Ormsby and St George wanted; but from the context it would seem that they were anxious to exchange their estates for others not lying in Connaught.

present any particular way and course for such elections at this time." 19 May. *Ib.* f. 691.

501. SAME TO THE COMMISSIONERS OF THE RESPECTIVE PRECINCTS.

"The time being so near elapsed for the stay of such Irish within your quarters, as being comprehended within one of the qualifications expressed in the Declaration¹ of 27th March last, you have thought fit to dispense with their transplantation to the time therein limited, we therefore desire you forthwith to hasten the sending up the depositions, certificates and other papers, which you have taken concerning such persons pursuant to our Instructions, that further consideration may be had of them, the end that work may not be retarded for want of those urns." 19 May. *Ib.* f. 691.

502. "Upon consideration had of the multiplicity of petitions² presented by persons that are transplantable into Connaught and Clare, from all parts of this nation, and considering that the time limited for their stay in the places of their present abode is near expired, it is thought fit and ordered that Major-General Sir Hardress Waller, Majors Anthony Morgan and Brian Smith, or any two of them be, and they are hereby appointed a Committee for the precincts of Cork, Kerry and Limerick, to hear such petitions and to peruse the certificates, and the returns made thereupon from the said respective precincts, and to consider the respective qualifications and merits of the said petitioners, and to make such orders thereupon by granting, unto such of them as deserve the same, such dispensations as they shall judge fit and proportionable to their respective deserts; provided that no dispensation, so by them to be granted as aforesaid, be for any longer term than to 1st May next 1655, and that in every such dispensation so to be granted, the description of such person, so to be dispensed with, by name, age, place of abode, stature, complexion, colour of hair or such marks of distinction as they shall think fit to be

¹ See No. 477.

² A number of petitions for dispensation from transplantation are printed in Prendergast, *Cromwellian Settlement*, pp. 110-117 and App. III, pp. 377-385. For some petitions addressed to the Committee for Transplantation in the Precinct of Trim, see MSS. Trinity Coll., Dublin. F. 3. 18.

inserted, and the said Committee are desired to meet from day to day, and to appoint one of their number to have the care of this service, that the same may be more effectually carried on. . . ." 19 May. Orders A/85. 45. f. 387.

The same for the other precincts.

503. Ordered that the Lord President of Connaught and the Commissioners at Loughrea be authorised to grant passes to Irish desiring to pass and repass into Connaught. 19 May. *Ib.* f. 393.

504. THE COMMISSIONERS TO THE COMMISSIONERS OF THE REVENUE OF THE RESPECTIVE PRECINCTS.

Having been informed that the servants of the Irish, left behind to take care of flocks and to look after the corn, have been turned out without habitation, to the great oppression and injury of the people, by persons who have taken leases of lands from the Commonwealth belonging to the Irish, who are to be transplanted into Connaught, "we therefore hereby order that you take care that, in cases where the said Irish are denied such liberty as abovesaid, you cause conveniency of room as aforesaid to be allowed for servants dwelling and threshing the said corn now in ground, with grazing upon the said lands fit for such sort of cattle, garrans, or oxen, as will be needful for carrying in the corn in harvest and carrying to the market when threshed, they giving such satisfaction for the same as you shall judge reasonable, as also to graze such number of cows (in fitting places by you to be appointed) as shall be judged necessary for the relief and maintenance of the servants left behind as aforesaid and to take care that no oppression or wrong be done unto them or their goods, while their licences do last for their staying there." 26 May. Domestic Corresp. A/90. 50. f. 702.

505. OLIVER CROMWELL TO THE COMMISSIONERS FOR IRELAND.

"The bearer hereof, Mr George Clarke,¹ being an Adventurer

¹ George Clarke, son of William Clarke, a merchant tailor of London, was an adventurer for lands in Ireland to the extent of £100, and the assignee of Richard Sallway for £1000. The lands assigned him were in the barony of Clanwilliam, co. Tipperary.

for lands in Ireland to a good considerable portion, is gone over thither with a resolution to plant and stock his grounds, and hath, as I am informed, carried over with him servants and other necessities requisite for that purpose, and having requested my letters to you to further the getting out of his proportion, was very willing to grant the same unto him, judging it my part by this or any other means to encourage so good a work, and therefore I do desire you to give him the best despatch you can in his business, that his forwardness to engage in that work, which the most show so great a backwardness unto, may not turn to his prejudice, as it will, if for want of a ready allotment made of his lands, his servants lie at charge upon him." 27 May. Letters of the Lord Protector and Council A/28. 26. f. 35.

506. Ordered that persons transplanting into Connaught and Clare with their families be allowed to pass free of tolls and customs for their persons, goods and cattle. 13 June. Orders A/85. 45. f. 444.

507. THE COMMISSIONERS TO COLONEL PHAIRE.

We find it impossible to transport the men raised on O'Dwyer's account ; but men are wanted for Barbados and other of the Caribbee islands " where they will have as good condition as any English or other servants there, and after four years are to be free men to act to their advantage. There will be fifteen shillings paid to the officers, that bring the Irish aboard, for each man so delivered, in case the said officer be willing to go along with them to the islands aforesaid, which otherwise is to be allowed to every such Irishman as voluntarily goes aboard upon this contract, and to have a suit of clothes also. So much may be likewise promised and will be paid by the undertakers to such of the said Irish, now kept together upon the charge of the country, as shall be put aboard, who are to have the like provision and accommodation. And for such women as shall go aboard, they are to be provided for as to apparel. . . . And in case you find that the men raised upon O'Dwyer's account do not amount to the number of 400, which number the merchants are to have delivered to them, then you are to supply that number by causing to be apprehended vagrants and idle persons,

who can give no good account of their living, nor have friends, nor means to maintain them. And the said persons being apprehended, and by yourself and any one or more Justices of the Peace judged to be vagrants and idle persons, you are to cause them to be secured and sent abroad, to complete the said number of 400. . . ." 15 June. Domestic Corresp. A/90. 50. ff. 708-9.

508. Whereas it is informed that the Commissioners of Revenue in several precincts have, contrary to their Instructions, let lands one to another, it is ordered that all such leases be null and void and of no effect. 16 June. Orders A/85. 45. f. 449.

509. THE COMMISSIONERS TO THE COUNCIL.

"We conceive it our duty to give you timely notice that the necessary prosecuting of the law for transplanting the Irish into Connaught and Clare hath so discomposed and distracted the people, that it cannot rationally be expected they should in any short time, or considerable measure, be in a capacity to add to your revenue here; besides the late Rule for a fourth part¹ will so reduce the former income, that, without a large and speedy supply of money from England, your soldiery here must inevitably fall under great want and misery and your Interest will probably suffer much prejudice thereby. . . ." 21 June. Domestic Corresp. A/90. 50. f. 711.

510. In answer to the proposals of Col. Peter Stubbers, Governor of Galway, "it is ordered that the said Col. Stubbers be, and he is hereby empowered (upon advice had and taken with the officers within the said precinct) to remove out of the said town of Galway such of the inhabitants thereof as shall be by him and the said officers adjudged to be dangerous and active persons.

"2. The inhabitants which shall be removed as aforesaid shall and may have liberty to set and dispose their houses for the present, for one year, until the Articles concluded on by Sir C. Coote for the surrender of the said town shall be considered, and a determination given thereunto; provided such inhabitants suffer not the said houses to run to ruin or decay.

¹ See No. 497.

“ 3. It is ordered that the Commissioners of Revenue at Galway do let unto such persons as will give most for them, such houses in the said town, as are ruinous and decayed, for any time not exceeding seven years, upon such terms and with such provisos as are mentioned in an Order of the Commissioners of the said Commonwealth bearing date the 7th April 1652, for the setting to rent ruinous houses in Ireland.

“ 4. Whereas by the Act for giving satisfaction to the Adventurers and Soldiers, as also by the Declaration of the said Commissioners of the Commonwealth for transplantation of the Irish into Connaught, provision is made that lands, within a statute mile round the town of Sligo, and so coming upon the sea-coast four miles distant from the sea, should be for the satisfaction of disbanded soldiers, it is ordered that no person of the Irish nation, being Papists, be permitted to live on the sea-coast, nor in any of the islands adjacent, nor in any of the islands upon any lough, except such as shall have special licence so to do from the Commander-in-Chief of all the forces in Ireland, or the governor of the said precinct, or others authorised to grant licences of that kind. And it is further ordered that Col. Stubbers do seize and secure all boats and cottages, belonging to any of the Irish or persons which shall not be licensed, as aforesaid, to live on the sea-coast, allowing to each person, for his cott or boat so taken, such satisfaction as he shall judge reasonable.”

5. Regarding servants left behind.

6. Regarding passes as above in No. 506.

“ 7. It is hereby ordered that no Irish Papist, either inhabiting in or transplanted to Connaught, be permitted to transport themselves, goods and families into England or Scotland, but to such foreign parts as they shall desire, and that no such Irish Papist be permitted to trade as a merchant to and from parts beyond the seas.” 21 June. Orders A/85. 45. ff. 462-3.

511. Ordered that Col. Stubbers be authorised to transport out of Connaught for the West Indies, three score Irish women that are vagrants, idlers and wanderers, that do not betake themselves to some lawful way or means for their livelihood and subsistence. 26 June. *Ib.* f. 467.

512. PROTECTOR AND COUNCIL TO THE COMMISSIONERS FOR IRELAND.

" You shall receive herewith the writs of election in Ireland together with the forms of indentures between the sheriff and the electors, which you are desired speedily to cause to be delivered according to the direction of the several writs. Here is also sent copies of the government of the Commonwealth of England, Scotland, and Ireland, which are to be read at the proclaiming of the writs, the execution whereof is recommended to your care." [Whitehall.] 29 June. Letters of the Lord Protector and Council A/28. 26. f. 38.

513. THE COMMISSIONERS TO COLONEL PHAIRE.

" By yours of the 22nd of June we understand there are near 700 Irish in the islands, 350 upon Colonel Brien's account, and the like number of the Lord Barrymore's, which he engaged upon Colonel O'Dwyer's capitulation, drawn, you say, into those islands by our order and at our dispose upon a minute's warning. We have weighed your reasons dissuading our proceeding with the undertakers whose ships are ready to take the number of 400 for the Caribbee Islands, and we are satisfied that it will be of more public advantage to send that number thither, than to give them the opportunity of continuing in a military capacity so near us, as is intended if sent either into Spain or Flanders, whither so great numbers have been already transported, and you have (when these 400 are shipped away) a proportion very near the number that will complete Colonel Brien's 1500, according to his capitulation for the Prince of Condé, who (you say) hath allowed of above 1100 already arrived where he expected. Therefore, we desire you to take order that, so soon as the ships, which are now here, and will set sail towards you with the first opportunity of weather [arrive, they] may receive the number of 400 aboard, as in our letter of the 15th June was proposed, which we desire they may not fail to have delivered them. The conditions these merchants proffer is, as we conceive, better than what others with you do offer, the fifteen shillings to be paid each man and a suit of clothes being more valuable than the twenty shillings, which you say some merchants with you would give ; and this number

of 400 will be soon completed either out of the men that are with you in the islands, or of such vagrants as you may take up in the country, by adding fifty to the 350 drawn into the islands upon O'Dwyer's treaty (which they failed to make good) and ready to be disposed of. We have agreed with Mr Charles Andrews¹ and Mr Mathias Browne, undertakers, that they are to be at the charge of the people so to be transported, at the end of fourteen days following the date hereof, after which the country is to be at no further expense with them, albeit the ships should not be ready at that prefixed time to receive them on board, which nevertheless will be by them carefully endeavoured. . . ." 1 July. Domestic Corresp. A/90. 50. ff. 721-2.

514. Ordered that the Commissioners of Revenue in the precincts of Clonmel, Waterford, Wexford, Kilkenny and Carlow do deliver all persons in gaol, except those charged with crimes of blood, to John Mylam, merchant or his agents, to be transported. 5 July. Orders A/85. 45. f. 471.

515. Ordered that Col. Henry Pretty, Capt. John Bennet² and Mr John Murcott, minister of Dublin, Mr John Price and Mr Wm. Markham, do inquire into the grounds of the conversion of the Irish in the parts about Athy, who for that reason have been dispensed with from transplantation. 5 July. *Ib.* f. 472.

516. Ordered that the Order of 19th May last allowing Sir C. Coote and the Commissioners at Loughrea to grant licences to Irish to come and go to their abodes out of Connaught be rescinded, it being found to work prejudicially to the Commonwealth. 10 July. *Ib.* f. 481.

517. "An Answer to the representation and desires of the disbanded officers and soldiers, who are to receive satisfaction for their arrears out of the lands in Ulster, upon consideration had of the Report made by the Committee appointed to consider the representation and desires : viz.

¹ A Dublin merchant.

² Bennet was a republican of the Ludlowite type, and in 1659 was nominated by the Rump major to Col. Markham's regiment of foot,

" 1. Concerning the encouragement that was agreed to upon the resolve of the first General Council of Officers to all such as should be disbanded, the said Commissioners do allow thereof to the present disbanded forces for one year, commencing from the time of their first sitting down upon their respective lots and proportions of land falling due unto them.

" 2. The said Commissioners do declare that any British or Protestants, who shall desire to remove from their present holdings, to plant and sit down with the said disbanded forces, shall not be restrained or hindered from planting with them, the said persons giving in security for the payment of their contribution according to their respective stocks.

" 3. Concerning the security to be given to the said officers and soldiers for their debentures to be delivered up, there will be a Declaration shortly published, assuring the said officers and soldiers that the words of the Instructions shall not prejudice their claim of further satisfaction according to the resolves of the General Council.

" 4. The Register for the Court of Claims is to make search for the claims, returned by the Commissioners of Revenue at Belurbet, of Major Richard Perkins ¹ (which 'tis probable is bundled up in the returns of that precinct) and being found, to present the same to the Commissioners of that Court, to be proceeded upon with the first conveniency to a determination, and that convenient notice be given by the Register of that Court unto the said Perkins.

" 5. Concerning the half-pay desired by the said officers and soldiers, the said Commissioners, having considered the vote of the General Council, allowing the said disbanded satisfaction for their arrears before 1649, equal with the arrears since 1649, which were by the Act to be postponed, do not think fit that the said officers and soldiers should return upon half-pay again unless they will quit the benefit of the said vote. . . ."

" 6. Concerning the Barony of Tullyhaw which (with the other baronies of the County of Cavan and Fermanagh) is desired to be excluded the line, the said Commissioners upon consideration of the returns of the said barony and the situa-

¹ Major Richard Perkins served in Ireland before 1649 and was one of those whose claims stood to be satisfied after the Restoration. He sold his debentures, which with others went to form a grant to the newly founded Royal Society. *Cal. State Papers, Irel.*, 1662, p. 506.

tion thereof do not think fit that the same should be excluded from the lot." 17 July. *Ib.* ff. 492-3.

518. Ordered that Col. John Jones do inform the Lord Protector *inter alia*.

1. How the Revenue is depressed.

6. To desire his Highness' resolution touching the Articles of Galway.

7. The like regarding Londonderry.

10. The necessity there is of establishing a mint.

11. To desire that a time may be set in which all persons are to prosecute their claims in all counties in Ireland, and that all persons not prosecuting their claims within the time prescribed be debarred such claims for the future. 18 July. *Ib.* ff. 489-90.

519. Ordered that all priests in Dublin be transported into Spain. 24 July. *Ib.* f. 503.

520. THE COMMISSIONERS TO LORD BROGHILL AND COLONEL VENABLES.

"Lord Muskerry (being acquitted by the High Court of Justice of the murders charged upon him) and desirous to redeem his time by a speedy application to his Highness for leave to capitulate with any in amity with the Commonwealth of England, for transportation of men out of Ireland (pursuant to his Articles) hath desired our pass, which accordingly we have granted him. . . ." 27 July. Domestic Corresp. A/90. 50. f. 739.

521. SAME TO THE LORD PROTECTOR.

"By the petition here enclosed [wanting] you will perceive the desires of the town of Liverpool¹ touching their lands ordered them in the Act for the satisfaction of the Adventurers and soldiers, in consideration of their great losses sustained by the late wars in England, which we are very sensible of. But upon

¹ Liverpool protested that nothing was said about "forfeited lands," but only lands in Ireland. But comparison being made with the satisfaction granted to Gloucester it was found that in the latter case the word "forfeited" distinctly appeared.

perusal of the Act finding, by these words in the 85th page -- 'After satisfaction as aforesaid the remainder of the said forfeited houses and lands shall be disposed of'—that the Adventurers and soldiers are to be first satisfied, which opinion we are confirmed in by the judgment of some persons of integrity and ability . . . we cannot satisfy them according to the Act till the Adventurers and soldiers are first satisfied. . . ." 28 July. *Ib.* f. 740.

522. Whereas Peter Bath stands sentenced to suffer death by court-martial for not conforming to the Instructions and Declaration for transplanting, it is ordered that the sentence of death be changed into banishment, and he to be transported to Barbados. 31 July. Orders A/85. 45. f. 511.

523. Ordered that evil persons, who, out of covetousness and hopes of concealing their fraud (owing to the wasteness of the country and the general destruction or removal of the ancient inhabitants in most places) do frequently presume to lay claim to divers estates and parcels of lands as heirs and purchasers of the same, without any just title thereunto, be punished. 9 Aug. *Ib.* f. 524.

524. "OLIVER P. It being necessary for the good government of the Dominion of Ireland in all affairs thereunto belonging that a Council be established to assist our Deputy there in that government, we reposing great trust and confidence in the fidelity, wisdom, and advice of our trusty and well-beloved [Richard] Pepys¹ one of the barons of our Exchequer, Wm. Steele,² serjeant-at-law, Recorder of our

¹ Sir R. Pyeps sat in the Short Parliament as member for Sudbury, Suffolk. In 1654 he was created serjeant-at-law, and the same year a baron of the Exchequer. He died at Dublin, 2 Jan. 1659. His funeral sermon was preached by Dr Worth. Petty speaks in high terms of his probity. See his Life in *Dict. Natl. Biog.*

² William Steele succeeded Serjeant Glynne as Recorder of London. He was one of the managers of the case against Charles I and selected to the office of attorney, but he pleaded ill-health as an excuse for not acting. Though appointed a member of the Irish Council he never acted as such; but being made Lord Chancellor of Ireland in August 1656 he landed at Dublin in September. Ludlow speaks favourably of his conduct. At the Restoration he took shelter for a time in Holland, but returning to England he died in 1680. See Life in *Dict. Natl. Biog.*

city of London, Robert Hammond¹ Esq., Miles Corbett Esq., Robert Goodwin² Esq., Math. Thomlinson³ do nominate, assign, and appoint them to be of our Council with our Deputy, and therefore will that our Deputy shall use their advice and counsel in all affairs concerning the said government as hereafter shall be more particularly directed in these Instructions.

“1. The principal and first care that we commit unto our Deputy and Council is that they shall, as well by their own example, as by such other means as they shall judge best, endeavour the promulgation of the Gospel, and the power of true religion and holiness, and the suppression of idolatry, popery, superstition and profaneness in that land.”

2. As in Article 2 *supra*, p. 264. “And also taking care that all due encouragement be given thereunto by all in authority under them, according to an Ordinance, entituled An Ordinance for the further encouragement of Adventurers for lands in Ireland etc.”

3. As in Article 5, p. 264.

4. As in Article 15, p. 267.

5. To take care that the administration of law and justice be duly and uprightly executed in that land, without respect of persons, and to that end etc. as in Article 1, p. 263.

6. As in Article 6, p. 264, with this addition—“or others whose places his Highness hath not, by the sixteenth of these Instructions, reserved to his own disposal.”

7. As in Articles 7 and 8, p. 265.

“8. Our Deputy by the advice aforesaid shall take care of, and have a special regard unto the public Revenue of that nation; wherein our pleasure is that, (1) We be certified in particular what the whole revenue in that dominion [is]

¹ Robert Hammond was a personal friend of Cromwell. He had not long been in Ireland before he died, in October 1654. See Life in *Dict. Natl. Biog.*

² Robert Goodwin sat for East Grinstead in the Long Parliament. In 1642 he was joined with Robert Reynolds to proceed to Dublin with the object of promoting the Parliament's interests at the Irish Council Board. But objection being taken by Charles to their proceedings and orders issued for his arrest he escaped back to England. Subsequently he was appointed agent for the distressed city of Londonderry, and was himself a considerable Adventurer for lands in Ireland.

³ Mathew Thomlinson had been appointed one of Charles I's judges, but declined to act. He was afterwards knighted by Henry Cromwell. In 1659 he was suspected of inclining to the army, and was arrested and impeached; but the impeachment was not proceeded with. He escaped molestation at the Restoration, though he lost some property, and died in 1681. See Life in *Dict. Natl. Biog.*

(together with the nature, manner, and times of payments), which was belonging to the Crown in the year 1638 or at any time since ; and also what other revenue, payments or duties now belonging to the Commonwealth have been paid to the public use since the year 1640, either by forfeitures, confiscations, escheats, excise, customs, assessments or any other yearly rent or profit whatsoever ; of all which [our pleasure is that] as soon as may be a just and particular estimate and account shall be transmitted unto us and our Council, and afterwards once every year at least, that we may from time to time understand the state thereof ; and the Deputy with the advice aforesaid, as often as he shall find cause, is to represent unto us or our Council what he shall conceive may conduce to the improvement of the revenue aforesaid. (2) That our Deputy by the advice aforesaid do use such means as they in their judgments shall judge best for recovery of such part of the revenue as hath been detained or concealed, with the arrearages thereof, and also to improve the whole revenue to the best profit and advantage of the State. (3) For the better improvement of the revenue aforesaid our Deputy with the advice aforesaid shall take an account of what hath been done upon the Instructions given to the Commissioners of Ireland, dated the 2nd June 1653, for surveying the honours, castles, manors, lands, tenements and hereditaments belonging to the Crown, or to any archbishops, bishops, deans, deans and chapters or other officers belonging to the Hierarchy in Ireland ; and, in case a survey be not made according to those Instructions, effectual care is to be taken that it may be forthwith done, and likewise that surveys be made of all forests and other forfeited lands in Ireland, which yet remain undisposed of by Act or Ordinance of Parliament, or Council of State in the interval of Parliament, or by us with the advice of our Council, in such manner as the aforesaid lands late belonging to the Crown and bishops are to be surveyed. (4) Our Deputy by the advice aforesaid shall cause all Acts, Ordinances, Orders and Instructions formerly given to the Commissioners for ordering and managing the affairs of Ireland now in force and not hereby altered touching the estates of delinquents, papists, archbishops, bishops, deans, deans and chapters, to be put in execution in Ireland, according to the several rules and directions therein contained, and also to put in execution all Acts,

Ordinances, or Instructions of Parliament, or of us and our Council here for levying and receiving of the duties of custom and excise in the dominion of Ireland. (5) Our Deputy by the advice aforesaid is hereby empowered by himself or such others as shall, by the said advice, be appointed to set and let all such lands, houses, and other hereditaments whatsoever in Ireland, as are or shall be belonging to the Commonwealth, for such time or term of years, not exceeding seven years, and at and under such rents and other conditions as shall be judged most for the public advantage, provided that our said Deputy by the advice aforesaid, shall have power to let and set the premisses for any longer term, reserving thereupon such yearly rent as the same was letten for, or worth to be let in the year 1640 or at any time within six years before ; and our Deputy with the advice aforesaid, shall have power, by himself or such others as shall be appointed, to let or set or cause to be collected and received the lands, rents, issues and profits of or belonging to all or any ecclesiastical benefices, or such ministers as are or shall be ejected for delinquency, ignorance, or scandal, until other fit persons shall be placed in their room, and also during vacancy of all such other ecclesiastical benefices as now are or shall hereafter become vacant by death or otherwise, and not disposed of by Act, Ordinance, or Order of Parliament, or by the Council of State in the interval of Parliament, or by us with the advice of the Council." (6) As in Article II, p. 3.

"9. Our Deputy by the advice aforesaid is hereby authorised to cause assessments to be made upon the estates of the people of Ireland, to be rated, levied, collected and paid according to the several rates and proportions set down and expressed in an Ordinance, entitled 'An Ordinance for the further encouragement of the Adventurers for lands in Ireland' and the soldiers and other planters there,¹ towards the payment and maintenance of the army and garrisons there, and for defraying of the public charge and carrying on the affairs of this Commonwealth in Ireland, in order to the execution of these Instructions, and to appoint Commissioners and other officers necessary and requisite for this service, and

¹ Passed 23 June 1654. See Firth & Rait, *Acts and Ordinances*, ii, pp. 924-9.

to allow unto them or such of them as they shall think fit such salaries or allowances for the said service as they shall judge meet, with respect to the easing the charge of the Commonwealth.

“ 10. Our Deputy is hereby authorised from time to time by his own warrant to charge the Treasury and public Revenue in Ireland for payment of the army and garrisons either in money or provisions, as also for all incident charges necessary for the army. And all other payments to be made for the carrying on and effecting of any of these Instructions, or in pursuance thereof, shall be made by warrant of our Deputy by the advice of the Council, to be signed by our Deputy and five at least of the Council, who shall likewise issue all warrants for ammunition to be delivered out of the magazine. And such respective warrants as aforesaid shall be a sufficient discharge to the respective treasurers, storekeepers and other officers concerned therein.”

11. As in Article 17, p. 267.

12. As in Article 12, p. 266.

“ 13. Our Deputy by the advice aforesaid shall take effectual care for the preservation of the timber in Ireland belonging to the Commonwealth, and shall use all good ways and means for preventing the mischiefs and inconveniences by selling or cutting down and destroying the timber there, and shall make inquiry where any trees fit for ship-timber grow near any good haven or navigable rivers, and thereof certify his Highness and Council.

“ 14. Our Deputy with the advice aforesaid is hereby authorised to put in execution all the powers, instructions, and authorities given unto the Commander-in-Chief or the Commissioners for ordering and settling the affairs of Ireland by one Act of Parliament, entituled ‘ An Act for settling of Ireland,’¹ by another Act, entituled ‘ An Act for the speedy and effectual satisfaction of the Adventurers for land in Ireland and of the arrears due to the soldiery there and of other public debts, and for the encouragement of the Protestants to plant and inhabit Ireland,’² and also by one Commission under the Great Seal of England the 2nd day of June 1653 and by the Instructions

¹ 12 August 1652.

² 26 September 1653.

thereunto annexed, and likewise by the further Instructions from the late Council of State bearing date the 2nd day of July 1653, and all other Orders of the late Council of State in the interval of Parliament, and all Acts of Parliament and Ordinances of us with the advice of our Council, and not altered by or repugnant to these Instructions, as fully and effectually as the said Commander-in-Chief of the forces of Ireland and the said Commissioners for ordering and settling the affairs of Ireland, or any of them are enabled to do by the said several Acts, Commissions and Instructions, Ordinances and Orders or any of them ; provided always that our Deputy, with the advice aforesaid, may, so far as they shall judge fit and to be for the public service, dispense with the Orders and Instructions made and given by the late Parliament or Council of State for the transplantation of the Irish natives into the Province of Connaught or County of Clare or one of them, and likewise with the penalties and forfeitures set and imposed by the authority aforesaid upon such persons as shall not transplant themselves accordingly, and may also by Proclamation or otherwise, as they shall think fit, declare and ^{and} publish the same."

15. As in Article 16, p. 267.

" 16. Our Deputy shall have the gift and disposition of all temporal offices as they shall become void, except the offices of Presidents of the Provinces, the Chancellor, Treasurer, Under-Treasurer, Master of the Ordinance, Chief Justice and Justices of the Bench, Chief Justice and Justices of the Common Pleas, Chief Baron and Barons of the Exchequer, Master of the Rolls, Serjeant-at-Law or Attorney and Solicitor, Treasurer-at-War, Marshall and Clerk of the Cheque—all which we reserve to our own disposition."

17. As in Article 20, p. 267.

" 18. We will that our Deputy, with the advice of the Council aforesaid or any five or more of them, shall put in use and execution the foregoing Instructions ; provided always that in case of death or other absence of the Deputy out of Ireland, the Council hereby nominated and appointed, or any five or more of them shall have power and authority to execute all and every the powers, authorities and instructions herein contained as fully and effectually as our Deputy, or our Deputy and Council,

or our Deputy by advice of the Council are empowered and enabled to do." 17 Aug. Commissions and Instructions A/27. 25. ff. 29-40.

525. THE COMMISSIONERS TO THE CLERK OF THE COMMONWEALTH IN CHANCERY.

We send you the writs and indentures, made betwixt the sheriffs and the electors, of such members as are chosen to serve in the ensuing Parliament. . . . The necessary haste of returning them in due season prevailed with us to send them away. If more come in we will send them. 18 Aug. Domestic Corresp. A/90. 50. f. 745.

526. "Whereas his Highness the Lord Protector by and with the consent and advice of his Council hath nominated and appointed Richard Pepys, one of the Barons of the Public Exchequer, Wm. Steele, Serjeant-at-law and Recorder of the City of London, Robert Hammond, Miles Corbett, Robt. Goodwin and Math. Thomlinson Esqs. to be of the Council in Ireland, be it ordained by his said Highness, by and with the consent of his Council, that the yearly salary of £1000 shall be paid unto each of the said persons during the time he or they shall respectively continue of the said Council . . . by quarterly payments, the first payment to be made on 20th September 1654. . . ." 22 Aug. Commissions and Instructions A/27. 25. f. 65.

527. Forasmuch as all the persons named to be of the Council of Ireland are not yet gone over, to the end that the public service may not in the meantime be hindered it is ordered by his Highness the Lord Protector and Council that the Lord Deputy with the assistance and consent of any three of the said Council shall be and is hereby authorised to put the said Instructions in execution. 23 Aug. *Ib.* f. 66.

528. THE COMMISSIONERS TO COLONEL ROBERT PHAIRE.

"By a letter from Mr Molesworth's¹ agent, we understand that

¹ No doubt Robert Molesworth, youngest son of William Molesworth, who after having served under his brother, Guy, in England on the royalist side settled down as a merchant at Dublin, after the surrender of the city by

he is disappointed of his receiving the 400 men we ordered him, so much to his prejudice and our dissatisfaction, that we cannot but resent it. Nevertheless, being desirous to give what remedy we may, we thought fit once more to recommend the care hereof unto you, and that you do forthwith cause that number of 400 men to be delivered him pursuant to our agreement ; and seeing the men which were raised upon O'Dwyer's capitulation are disposed of, we would have you to deliver Mr Molesworth's agent so many of the Irish as are there and were raised by the Lord Barrymore¹ to be transported, and, if those do not make up the full number of 400, you are to complete them, by causing such idle persons of the Irish to be apprehended, as are judged rogues or vagrants and can give no good account of their living. We again desire your utmost endeavours herein and remain." 26 Aug. Domestic Corresp. A/90. 50. f. 745.

529. " Be it ordained by his Highness the Lord Protector, by and with the consent of his Council that the Lord Deputy of Ireland and the Council thereof for the time being be authorised and empowered by themselves, or such person and persons as they shall appoint, to compound with all and every person and persons being Protestants in Ireland, (other than the Protestants in Munster, mentioned in an Ordinance entitled ' An Ordinance for indemnity to the English Protestants of the Province of Munster in Ireland ') ² who, having been Delinquents there, have not been excepted from pardon, and to set such fines for the composition of all and every such person and persons for his and their estates both real and personal as shall be fit ; provided that the fine and fines to be set and imposed for the real estate of such person and persons shall not be less than two years' full value of such estate as the same was

Ormond to the Parliament. Having in that capacity acquired considerable wealth and being a large Adventurer for lands, which were satisfied in the baronies of Moghergallin and Lune in co. Meath, he was regarded with favour by the Government. He married Judith, daughter of John and Margaret Bisse, by whom he had one child Robert, created Viscount Molesworth, born four days after his father's death, which occurred on 3 Sept. 1656. See Lodge, *Peerage*, Ed. Archdall, v, pp. 132-4.

¹ This was Richard Barry, 2nd Earl of Barrymore, son and heir of David 1st Earl and Alice, daughter of Richard Boyle, the great Earl of Cork. He was born in 1630, and afterwards became colonel of a regiment of horse that had been raised by his maternal grandfather. He submitted to Cromwell, but supported the movement which led to the Restoration and witnessed the Revolution, dying in 1694.

² 27th June 1654.

worth to be let in the year 1640. All and every which fine and fines shall be paid into the public Treasury there at such time and times as the said Lord Deputy and Council shall appoint. And be it further ordained by the authority aforesaid, that upon payment into the said Treasury of the fine and fines, which shall be so set and imposed as aforesaid, by the respective person and persons so compounding and within the times which shall be so appointed, all and every such person and persons so paying in the same, and his and their heirs and assigns and all and every the lands and estate which shall be so compounded for shall be from thenceforth freed and discharged of and from all and all manner of sequestration, confiscation or forfeiture for or in respect of any delinquency aforesaid; and the said Lord Deputy and Council and such person and persons as shall be by them so appointed are hereby authorised and enabled to give order for such discharge accordingly." 2 Sept. Commissions and Instructions A/27. 25. f. 67.

530. "Whereas the manors, lands, tenements, and hereditaments assigned and set out, or to be assigned and set out, in and for the satisfaction of the arrears of the soldiers in Ireland are of different and unequal values in themselves, whereby, if a subdivision be not made in proportion to the real difference of the said lands, some will have lands of a much greater value than others, which will be a very great prejudice to many; for prevention whereof, be it ordained by his Highness, the Lord Protector by and with the advice and consent of his Council that it shall and may be lawful to and for the respective regiments, troops, and companies of horse, foot and dragoons, and for the rest of the soldiery, who have arrears justly due unto them for their service in Ireland, unto whom any part of the said forfeited lands is fallen, or shall fall and be assigned by lot or otherwise for and in satisfaction of their and every of their arrears of pay, to nominate out of themselves certain persons to subdivide and set out the said lands so fallen, or to fall to them by lot or otherwise, according to the true and real value thereof, to the best of their skill and judgment, and to return an Instrument, under their hands and seals, of such proportion and particular of the lands, which shall be by

them so subdivided and set out to each of the said officers and soldiers, into the Court of Chancery in Ireland to be there enrolled ; provided the said persons so to be nominated shall, in their proceeding therein as to the gross, observe and keep the rates for lands in the respective provinces of Ireland aforesaid as they are set down in an Act of Parliament made at Westminster the 26th day of September 1653 entitled ‘ An Act for the speedy and effectual satisfaction of the arrears of the soldiery ’ ; and further, that from and after the return and enrolment thereof in the Court of Chancery within that nation, the same shall be final and for ever after a conclusion and bar to all and every the person and persons interested or to be interested in the said respective lots and lands and their heirs. And this present Ordinance shall be a sufficient authority to the ministers of the said Court for the enrolment of the said sub-divisions of the said lands, being brought unto them fairly written under the hands and seals of the persons employed in the sub-division thereof ; and the same shall be accepted, deemed and taken to be a full bar to all pretences of any persons claiming by, from, or under the said sub-division and their heirs forever ; and be it further ordained by the authority aforesaid that such Instrument, so enrolled shall be a sufficient title and evidence for every such person and persons and their heirs forever to claim, hold and enjoy the lands and estates therein particularly mentioned, as fully and amply as if the same had been contained in the lot of such person and persons in full satisfaction of his and their proportion of the lands and estate whereunto they might make claim in satisfaction of his and their arrears.”

2 Sept. Letters of the Lord Protector and Council of State A/28. 26. f. 4.

531. Whereas by an Order of the Council of State, bearing date 1st June 1653, confirmed by an Act of the late Parliament 26th September 1653, Methuselah Turner,¹ Robert Hammon,² Nath. Manton,³ Elias Roberts,⁴ Thos. Hubbert,⁵ Francis Blomer, Col. Geo. Gill, and Lt.-Col. John Fenton were appointed a Com-

¹ Of Cheapside, linen draper. ² Of Broad Street. ³ Of Ironmonger Lane, London, merchant. ⁴ Of Broad Street, London, merchant. ⁵ Of Theobalds, Herts.

mittee for clearing of claims, contriving a lottery for the equal distribution of forfeited lands among the Adventurers by lots, and for giving forth certificates under their hands and seals for the ascertaining each Adventurer's proportion, be it therefore ordained by his Highness, the Lord Protector of the Commonwealth of England, Scotland and Ireland by and with the advice and consent of his Council that the Lord Deputy of Ireland and Council there for the time being, be and hereby they are authorised and empowered forthwith to set out unto the said M. Turner etc., their heirs, or assigns so many acres of meadow, arable land and profitable pasture, Irish measure, as doth amount unto £2621, at the same value the same were worth to be sold in the year 1640, in such place or places within the ten counties, not being by Act, Ordinance, or Order of Parliament set out, allotted, or granted to any particular person or persons, Adventurers, or soldiers; and if there be not sufficient within the said ten counties, then in the County of Louth or such other place or places in Ireland as the said Lord Deputy and Council shall think fit, and to put the said M. Turner etc. into the possession of the premisses so to be set forth unto them, to be by them, their heirs or assigns held and enjoyed for ever in as full and ample manner, and with the like advantages, liberties, and privileges as any the Adventurers for lands in Ireland may and ought to hold and enjoy the lands set forth unto them, and as if the same lands and premisses, so set forth unto them, their heirs, and assigns had come to them by lot respectively; and that the said Lord Deputy and Council cause a survey on oath to be made of the premisses in writing and returned unto the Register for the said lands to remain of record. 2 Sept. *Ib.* f. 11.

532. THE COMMISSIONERS TO LORD BROGHILL, SIR ROBT. KING, COL. SANKEY, COL. THEO. JONES, ALDERMAN HUTCHINSON, MAJOR MORGAN, AND MAJOR MEREDITH.

“Upon a petition lately received from the Lord Lambert [Lambart],¹ requesting our order to the Commissioners of Ac-

¹ Charles, first Baron Lambart and Earl of Cavan, born 1600, was the son of Sir Oliver Lambart, whom he succeeded in 1618. He suffered severely by the Rebellion, and raised a regiment of 1000 foot on his own account. He was actively engaged during the war, and dying in 1660 he was buried in St Patrick's Cathedral. See Life in *Dict. Natl. Biog.*

counts to state his arrears, due from 2nd July 1647, as he alleges, we accordingly referred the same unto the said Commissioners to consider thereof and to state his arrears. . . . The Commissioners say they cannot proceed thereupon, in regard the said Lord Lambert acknowledgeth that he served under the Earl of Ormond during the Cessation made with the rebels, and thereby is rendered incapable to receive benefit by the Act of 25th August 1652 for service before and in the said Cessation; the proviso therein being, that no officer or soldier whatever, who hath revolted from the Parliament and turned to the enemy etc. shall have any benefit by this Act or any security at all for any arrears due unto them before such revolt or service of the enemy.”¹ But having regard to his great services and sufferings etc. we so far compassionate his case as to present it unto you and remain your affectionate friends. 8 Sept. Domestic Corresp. A/90. 50. f. 750.

533. “Whereas his Highness, the Lord Protector, by advice of his Council, hath established a Deputy and Council for the government of the Dominion of Ireland and the affairs there, now, lest the ordinary course of Justice in this nation might receive interruption at present, it is hereby ordered, that all Commissions and Instructions formerly granted or issued by the Commissioners of the Commonwealth for the ends aforesaid, which were in force upon the ninth of this inst. September, be and are hereby declared to continue and be in force until the 20th November, or until further order.” 13 Sept. Orders A/5. 5. f. 1.

534. Ordered that [Thursday], 21 September be appointed a day of solemn supplication. 14 Sept. *Ib.* f. 1.

535. To the end the public affairs of this nation (now requiring despatch) be not impeded, it is ordered that no private petitions be received after this day until Tuesday next, come sevensnight, being 26th September. 14 Sept. *Ib.* f. 2.

¹ See Firth & Rait, *Acts and Ordinances*, ii, p. 611.

536. LORD DEPUTY AND COUNCIL TO THE GOVERNORS AND COMMISSIONERS OF REVENUE AT — TO BE COMMUNICATED TO THE REST OF OUR CHRISTIAN FRIENDS.

“ The Lord by his providence having disposed us to the present management of affairs here in Ireland, and considering the weight of the work we are called unto, the many difficulties, trials and temptations we may meet with, and our own unfitness for the carrying on so great a business without his presence in owning and directing us, we do hereby desire all those that truly fear the Lord in this nation to seek him in our behalf, that his gracious spirit may direct and strengthen us, in the faithful discharge of the great end of magistracy, for the terror of evil doers and the praise of them that do well, as also that we might in all things do justly, love mercy and walk humbly with our God. Moreover we desire that in a special manner all such whose hearts God shall make willing would solemnly meet us at his throne of grace by fervent supplication upon the 21st of this inst. September, to seek his face for a blessing upon the beginning of our work, wherein we desire continually to wait and depend upon him, and that all might cease from us and all other poor instruments and ascribe the glory of any mercy alone unto him.” 14 Sept. Letters of the Lord Deputy and Council A/30. 28. f. r.

537. THE COUNCIL TO THE LORD PROTECTOR.

“ Since the arrival of such of us (as lately came from England) at this place (which through the mercy of God was upon the 9th and 10th of this inst.) we have perused the trusts and powers committed unto us by your Highness’ Commission and Instructions, and did cause the same Commission to be publicly read the 12th of this inst. And having considered of the best ways how the same may be put in execution in this nation, we already find in the entrance of our work a great necessity of establishing Courts for administration of justice, and judge it of very great concernment that a Chancery and Court of Common Pleas be speedily erected, and therefore (your Highness having reserved it wholly in your power) we humbly beg you would speedily appoint a great seal with what hands you please to entrust it, as also a Chief Justice of Common Pleas with a seal of that Court, we not having power herein by our Instructions.

"We have had it also in consideration how we may contract the public charge here in all respects, consistent with safety ; but at present the state of things in reference to transplantation, as also the season of the year will not admit so effectual a progress therein (though some things may be done) as is desired, and therefore we must acquaint your Highness that the charge of your forces here by the establishment of the late Parliament is £47,000 *per mensem*, besides the civil charge, which is likewise very considerable, towards the defraying whereof there is very little to be reckoned on except £10,000 *per mensem*, customs and excise being almost wholly taken away by the late Ordinance for regulating the same ; and therefore we earnestly desire your Highness to send us with all convenient speed the constant supply of £32,000 *per mensem*, formerly promised for the carrying on your affairs here, less than which (at present) will not serve. In the next place we beg your Highness' consideration on that great point, formerly offered by the Commissioners of the Commonwealth, concerning satisfaction of the debts charged upon the lands of this nation (it having appeared upon estimate that the said lands will fall short near one third part) which of necessity must be done before any progress can be made either in disbanding, or any settlement here upon sure grounds." 19 Sept. Letters of Lord Deputy and Council A/30. 28. f. 4.

538. SAME TO MR DAVENPORT,¹ MINISTER IN NEW ENGLAND.

"We being here destitute of helpers to carry on the great work of the Lord in holding forth the gospel of Jesus Christ in this poor nation, and being informed that the Lord hath made you faithful and able in the work, we hereby desire you to come over and help us, according as the Lord shall enable you, to make known that riches of love and free grace through Jesus Christ, that he hath made known and revealed unto you. If the Lord shall incline your heart unto this, we shall (according to our duty) make provision not only for your comfortable subsistence here, but also to help you in the charge of removing your family. Thus beseeching the Lord to manifest his own mind to you herein and to bow your heart in all obedience thereunto, we commit you to

¹ The Rev. John Davenport, B.D., minister of Newhaven (for whom see Neal's *Hist. of the Puritans*, ii, p. 229), did not accept the call to Ireland.

the Lord and do rest your assured friends to serve you in the Lord." ¹ 19 Sept. *Ib.* f. 5.

539. SAME TO THE LORD PROTECTOR.

They are perplexed how to deal with the orders he has given for the satisfaction in full of the arrears of Capt. Blackwell, Col. Hewson, Col. Theophilus Jones and Alderman Hutchinson. "And judging those orders were granted upon supposition that there were lands enough in Ireland to satisfy the Adventurers and soldiers at those rates mentioned in the Act for Adventurers; but finding upon the surveys, that have been returned, and upon the best estimate that can be made, that the lands in Ireland will not hold out to satisfy above two-thirds of the debt charged upon them at those rates, we are not free to satisfy them in those counties at lower rates than those which were agreed upon at a General Council of Officers held at Dublin, when, upon computation of the whole debt charged upon Ireland, they did rate the counties in Ireland as they were in goodness to answer the said debt, until your Highness and Council's pleasure be signified to us therein. . . ." 19 Sept. *Ib.* ff. 7-8.

540. Ordered that the Commissioners of Survey be authorised to fine those who do not come, when ordered, to give evidence. 5 Oct. Orders A/5. 5. f. 12.

541. "Forasmuch as many doubts and difficulties in several cases depending before the Court for Claims relating to Articles made in Ireland, it is therefore ordered that Sir C. Coote, Sir H. Waller, Commissary-General Reynolds, Cols. Hewson, Lawrence and Sadler, Adjutant-General Allen, Quarter-Master General Vernon, Dr Jones, Lieut.-Col. Arnopp and Major Jones, or any three or more of them be and are hereby authorised and appointed (upon notice hereof given by order of the Commissioners there sitting) to be assisting to the said Court of Claims, in such business that is, or, upon occasion may be depending before them concerning Articles, and further to proceed to the hearing and determining the same with the

¹ A similar invitation was addressed at the same time to Mr Tilinghurst (? John Tillinghast), and another on 1 May 1655 to Mr Paul Imerald.

judges of the said Court, as together they shall judge to be most agreeable to justice." 7 Oct. *Ib.* f. 15.

542. Ordered that Sir C. Coote, Sir H. Waller, Commissary-General Reynolds, Cols. Hewson and Lawrence, Lieut.-Col. Arnopp and Captain Shaw do take into their further consideration the matter formerly recommended unto them, concerning the managing of the surveys of the forfeited lands in Ireland, and to propose some expedient unto us how the same may be carried on with most despatch and advantage to the Commonwealth. 10 Oct. *Ib.* f. 15.

543. Ordered that it be referred to Mr Justice Cook and Mr Attorney-General [Basill] to consider of the several laws that have been made in England before and since 1640, wherein Ireland is not named, whereby this nation may probably be deprived of the benefit of those laws; and also (with what convenient speed they may) to prepare a particular of them, to the end that all or so many of those laws, as by them may be deliberately conceived necessary and of use for the public good of this nation, may be considered and made of force therein. 25 Oct. *Ib.* f. 25.

544. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

"Lord Muskerry, upon his submission to the Commonwealth of England, had, by his Articles, dated 22nd June 1652, liberty granted him to transport 5000 Irishmen into any foreign parts in amity with the Commonwealth, and to that end (as we are informed) he is capitulating at London with some agents there, in order to the transportation of such Irish into Flanders or other place pursuant to that agreement. And forasmuch as the Lord Muskerry hath since his submission behaved himself peaceably and inoffensively towards the State, that his livelihood mainly depends thereon and that the like liberty hath been afforded others, but principally being well satisfied that this number will be of very great service to the public and tend much towards the peace of this nation if exported thence, and that they can nowhere else do such disservice or prejudice to the State as may by their being here, we humbly present both him and his request

unto your Highness, desiring that all due encouragement may be afforded him in a work so much conducing to the welfare and accommodation of this nation." 25 Oct. Letters of the Lord Deputy and Council A/30. 28. f. 10.

545. SAME TO THE LORD PROTECTOR.

"Having received some information lately of the value of the baronies¹ set apart by the Parliament in the County of Dublin and the County of Cork for the satisfaction of maimed soldiers and of such poor widows and orphans, whose whole arrears did not exceed £150 to any one of them respectively, and taking notice that, by reason of the exceeding low condition of all or the most part of these poor persons, that having nothing or little to subsist upon but what they have from the Commonwealth by way of pensions, they will be unable to improve that favour by planting, building or settling upon any the said lands themselves, and must be necessitated to sell their arrears to such who want only an opportunity to make a prey of them, whereby the good and bounty intended them will be converted into the benefit of such, who mind nothing more than their own private advantages and gain, we for these reasons and upon consideration of the goodness, largeness and commodious situation of the said baronies, judged it our duty to represent the same to your Highness' consideration and humbly to offer it as the best expedient in our opinion, to prevent the aforesaid mischief, that the said baronies be exposed to sale for ready money, and that some persons, whom your Highness shall think fit, be entrusted for that purpose, by which means not only those poor people may, as we humbly conceive, have full satisfaction for their arrears due to them, and more for their relief and content than they could have had by lands, had they had the possession of them given them, but the Commonwealth will likewise be advantaged thereby, in regard of a surplus that we are of opinion will be made of them.

"And forasmuch as we fear there will be suddenly a great want of treasure to carry on your affairs here, and that there are some few seats left in the remaining parts of the said counties, as also in several baronies in the County of Carlow, which if dismembered

¹ Viz. Castleknock and Imokilly ; but see below, p. 494.

would be of little pleasure to any, and which, being sold as they lie entire, would probably prove of considerable value, we further humbly offer it to your Highness, that some persons be employed to put to sale all such houses, seats and lands forfeited by any Irish rebels as are not yet disposed of in the said counties of Dublin, [Kildare], Carlow and Cork, and to keep distinct account of the monies made of them, to the end that the same may be rendered to your Highness, in case it be not intended that those four counties be reserved from being disposed of, till your Highness have a clearer understanding whether any remaining security will satisfy the Adventurers and soldiers and others comprised in the Act." 25 Oct. *Ib.* f. 26.

546. Ordered that Sir H. Waller, Commissary-General Reynolds, Cols. Hewson and Lawrence, and Lieut.-Col. Arnopp be appointed a Committee for the effectual and real prosecution of the work of transplanting the Irish into Connaught and Clare, and to make provision for them there according to their respective Qualifications, and to offer such further consideration therein as upon further debate they may judge fit. 26 Oct. Orders A/5. 5. f. 24.

547. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS FOR SETTING OUT LANDS IN THE COUNTY OF CORK.

"Whereas Cornet Foulk¹ hath lately made an address to us, setting forth that the proportion of land assigned to him for his arrears falleth short 312 acres of the quantity it was delivered to him for, and forasmuch as it is alleged also by the said Cornet that the several officers and soldiers, whose arrears fell to be satisfied in the same allotment with him, do refuse to readmeasure their respective proportions again, and do insist upon the liberty given them by the Act of Parliament of purchasing what surplus shall remain, if any be hereafter found, within their respective proportions, to the end therefore, the said Cornet may in some measure be relieved, it is thought fit that if you

¹ Described in the General Pardon of 1661 as Cornet Robert Fowlke of Ballivechenchy (Curraghnaheasy, Barony of Fermoy, Co. Cork). He was, I think, the brother of Lt-Col. (afterwards Sir) Francis Foulke of Camphire, Co. Waterford, mentioned on p. 66. He was returned M.P. for Dingle in 1661.

shall find the officers and soldiers upon the place unwilling to come to a re-admeasurement of their respective proportions as aforesaid, and that the sub-division agreed by them among themselves was not made with regard to the quality of the lands, but according only to the quantities which were given in by the gross estimate, you do allot to him the said 312 acres out of such other lands in some convenient place of the same barony,¹ as shall be discovered by him to belong to the Commonwealth, and to have been hitherto wrongfully detained from the public." 30 Oct. Letters of the Lord Deputy and Council A/30. 28. f. 11.

548. Ordered that the Surveyor-General and Register for forfeited lands in Ireland do prepare a particular of all Crown and Bishops' lands upon the return of surveys. 3 Nov. Orders A/5. 5. f. 30.

549. BY THE LORD DEPUTY AND COUNCIL.

"Know all men that we, in pursuance of the power and trust to us given etc., do, by these presents nominate etc. Richard Pepys Esq. Chief Justice of the Upper Bench in Ireland and one of the Council there, Miles Corbett Esq. one of the said Council, John Cook Esq., John Reading Esq., William Allen Esq., Roger Ludlow² Esq. and Philip Carteret Esq., jointly and severally to be Commissioners for the receiving, hearing and determining of all claims in or to forfeited lands in Ireland; and the said Richard Pepys etc. are to receive all and every claim and claims, that have or shall be made in pursuance of the former Proclamations made by the late Commissioners of the Commonwealth concerning such claims, and all other claim and claims of any person or persons, or the heirs, executors or assigns of any person or persons, who on the 23rd October 1641, had any lawful right, title or interest in or out of any

¹ Viz. Fermoy.

² Roger Ludlow, the cousin of Edmund, was born in 1591, and was by profession a lawyer. For some time he held the post of assistant to the Massachusetts Bay Company, at Dorchester. In 1635 he removed to Connecticut, and was entrusted with the drafting of its constitution. He left America owing to some dispute or other, and was appointed a member of the Court of Claims. He apparently quitted Ireland before the Restoration. See Life in *Dict. Natl. Biog.*

the lands, rents and hereditaments of any the rebels in Ireland, or any the lands in Ireland forfeited by any Act, or Acts, Ordinance or Ordinances of Parliament made the 17th year of the reign of the late King Charles, or since, or out of any the lands, tenements or hereditaments lately belonging to the Crown in the year 1630 or since, or out of any lands etc. lately belonging to any Archbishops etc. or other officers belonging to that Hierarchy in Ireland, and to cause all such claims to be entered, and, immediately after the entering of such claims, to proceed to examine, hear and determine the same as shall be agreeable to law and justice, and that they cause copies of such determinations, under the hands of any three or more of them to be sent unto the Register for the forfeited lands, to be by him annexed to the survey of those lands, touching which such claims shall be made, and to do or cause to be done all and every other act and acts, thing and things, for and concerning the hearing and determining of such claims as abovesaid, as are mentioned and contained in one Commission, under the Great Seal of England, bearing date at Westminster the 22nd June 1653, to the said late Commissioners, directed and since confirmed by Parliament. . . ." 3 Nov. Commissions and Instructions A/26. 24. ff. 15-16.

550. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"The condition of the Earl of Aunendale¹ hath been represented to us by persons of much credit and worth to be such as that, if the rule for transplantation be strictly put in execution in reference to his Lordship, he is like to suffer extreme prejudice in his estate in Ireland, and therefore we are induced to recommend his Lordship's condition to you, that as much favour may be shown to his Lordship in permitting the natives, who are his tenants, to continue the holding and manuring of his Lordship's lands as may consist with the peace and safety of that county." 6 Nov. Letters of the Lord Protector and Council of State A/28. 26. f. 44.

¹ This was James Murray, 2nd Earl of Annandale. He died without issue in 1658, and the title became extinct. His father, John Murray, was an Ulster undertaker, and the property acquired by him comprised nearly all the lands belonging to the MacSweenys in the baronies of Boylagh and Kilmacrenan, co. Donegal.

551. LORD DEPUTY AND COUNCIL TO CAPTAIN ROBERT PRESTON.

"Upon some late information given the Lord Deputy and Council of some discourse between Col. Mathew Alured¹ and yourself, at his last being in Ireland, wherein the said Col. expressed some words discovering some discontent of spirit or dissatisfaction concerning his Highness, the Lord Protector, and scandal of the present government, you are desired by them to certify forthwith what those expressions were (to the best of your remembrance) either spoken to yourself or others, and what other matter you can signify concerning this business fit for their knowledge." 10 Nov. Letters of the Lord Deputy and Council A/30. 28. f. 12.

552. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

Order them to pay Major Peter Wallis £475. 1. 8 by way of reparation for the loss sustained by him in transporting Irish into Spain, the King of Spain's officers never having paid his expenses—£8013.² 12. 0. 14 Nov. Letters of the Lord Protector and Council A/28. 26. f. 45.

553. Whereas by an Order of this Board bearing date 13th September last, it was declared that all Commissions and Instructions formerly granted by the late Commissioners of the Commonwealth, which were in force upon the 9th of that month should continue till the 20th inst., by which time it was hoped that the affairs of this nation might have been put into a regular way of management : now, forasmuch as the time limited by the said Declaration is near expired, and no full course as yet taken for the further administration of justice in the several precincts and places of this land, it is ordered that all Commissions for the peace and administration of justice in Ireland be in full force until further order. 14 Nov. Orders A/5. 5. f. 35.

554. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

"Having received late letters from your Highness intimating

¹ Col. Alured or Allured was arrested and tried for signing a petition protesting against the powers given Cromwell as Protector and praying for a free Parliament. He was kept in the Tower for a year and deprived of his command in the army. In 1659 the Rump appointed him captain of their life-guard. See Carlyle's *Cromwell's Letters and Speeches*, ed. Lomas, ii, pp. 330-1.

² An impossible sum. Query a mistake for £813: cf. pp. 506-7.

your resolutions to proceed speedily to a settlement of the army, requiring our advice upon the place concerning the number of forces necessarily to be continued in Ireland, as well for the defence of garrisons as for the field, we have, in pursuance of your Highness' said commands, taken the advice of the officers of the army and by all other means endeavoured to inform ourselves of whatsoever might conduce to our clear understanding, in order to your Highness' satisfaction in this matter, and do find so many dangers appearing upon the least further lengthening (*sic*) of strength here, that we are more led by the consideration of the wants of the State than by our own judgments to present our opinion unto your Highness, that the army of Ireland be brought to a lower establishment than what we have lately represented viz. 15,000 foot and 4000 horse; and if the consideration of any necessity shall induce your Highness to appoint a smaller number, we are somewhat affected with what may be the future consequence thereof, the generality of the Irish nation being brought to the utmost of despair, the Scottish inhabitants generally disaffected, and many of those of our own nation, from whom we may (if from any here) expect assistance against the ancient enemies of their country and religion, being so lately returned from asserting the kingly interest of that family, to which they have with such vehemency adhered that they rather choose to associate in a confederacy with bloody Irish rebels than own the government of the Commonwealth.

"We are endeavouring to carry on the work of transplanting the Irish proprietors and such as have been in arms into Connaught effectually, and have given directions that the forfeited lands be set out to the soldiery and Adventurers, which being performed, we hope (unless an invasion from without or some unexpected danger surprise us from within) that the establishment of this army may be brought to 12,000 foot and 3000 horse with 600 dragoons, and that what forces are above that number may be reduced. We do not hold it fit to trouble your Highness with a particular account of the places fit to be kept as garrisons, with the distinct numbers of men necessarily to be continued in them, which, by the lowest computation we can make, will be 8000 foot besides some horse, the remainder being but 4000 foot and those for the field, having sent Commissary-General

Reynolds sufficiently instructed from us to represent unto your Highness the true state and condition of the particulars above-said and of your affairs here, to whose information we refer the same and remain yours etc." 14 Nov. Letters of the Lord Deputy and Council A/30. 28. ff. 14-15.

555. SAME TO COLONEL ROBERT PHAIRE, MAJOR DENISON, CAPTAIN BAKER, MR BENJAMIN CROFTS ETC.

" Understanding that there hath been and daily is great spoil made in the woods belonging to the Commonwealth within the County of Cork, to the great prejudice of the State, in order to the prevention of which we do hereby desire you to appoint some able and honest persons such as you shall think fit, not exceeding in the whole four in number, to range the respective woods belonging to the Commonwealth in the said county, with directions that, if they find any person felling, cutting, barking or any other way spoiling or prejudicing the aforesaid woods, that they bring such offenders before you or either of you, and if they are soldiers and in the pay of the Commonwealth, that you proceed against them according to the usual course of martial law, and if country people, that the several penalties by Acts and Statutes in such cases be inflicted upon such offenders. . . ." 14 Nov. *Ib.* ff. 21-2.

556. BY THE LORD DEPUTY AND COUNCIL.

" By virtue of the power and trust committed to us by his Highness, Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, we do hereby nominate, constitute and appoint Henry Markham, Edward Roberts and Richard Kingdon Esqs. to be Commissioners-General of the Assessments and all other public revenues of Ireland and of every branch thereof, as also of the several and respective stores of provisions and clothes therein. . . ." [17 Nov.] Commissions etc. A/26. 24. ff. 1-2.

557. INSTRUCTIONS TO THE PRECEDING, *inter alia* :—

3. You are to take care that the monthly assessments, together with the monies growing due to the Commonwealth for customs and excise etc., be from time to time paid into the hands

of James Standish Esq., appointed Receiver-General for the time being for all the public Revenue of Ireland.

5. You are likewise authorised from time to time, either by yourselves, or such faithful, able persons, approved by us, to set and to farm throughout the several cities, towns and counties in Ireland the tithes, land-excite, together with the houses and lands belonging to the Commonwealth, causing publication first to be made in the said respective cities etc. of the time and place when such tithes etc. are to be let.

8. You are to take care for the encouraging the manufacture of woollen and linen cloth in Ireland. [17 Nov.] *Ib.* ff. 3-9.

558. BY THE LORD DEPUTY AND COUNCIL.

“Whereas it is necessary that the public Revenue of the nation and every part thereof belonging to the Commonwealth, raised for maintenance of the army and other public uses, be brought into one receipt or treasury, to the end the multiplicities of treasuries and receipts which have been found inconvenient may be avoided, and the persons, who shall be employed in receiving and issuing the same, brought to a due account from time to time, and the true state of the said treasury be always within the view of such as shall be entrusted with the chief government of this nation, it is therefore hereby ordered that James Standish Esq. be and is hereby nominated, constituted and appointed Receiver-General for the time being of all the assessments in Ireland together with the monies arising to the Commonwealth for the rents of houses. . . .” [17 Nov.] *Ib.* f. 10.

559. INSTRUCTIONS FOR JAMES STANDISH ESQ. *inter alia* :—

“1. To the end you may be acquainted with the true state of the Revenue of Ireland, you are, from time to time, to demand from Henry Markham, Edward Roberts, and Richard Kingdon Esqs., Commissioners-General of all the revenue and stores of Ireland a particular of what sum or sums of money belonging to the Commonwealth there is or shall be in the hands of any receiver. . . .” [17 Nov.] *Ib.* f. 11.

560. “Ordered that the respective officers now employed in the several custom-houses in Ireland do continue, as formerly,

to collect the duties of tunnage, poundage, new impost and excise of all goods imported from beyond the sea or any other parts according to the several Acts, Ordinances, and Orders of Parliament, or of his Highness the Lord Protector, in that case made and provided, notwithstanding any order to the contrary formerly made. . . ." 17 Nov. *Ib.* f. 12.

561. Ordered that his Highness, the Lord Protector's letter dated 3rd of this inst. regarding the excise of salt used in the fishing trade be referred to the Commissioners-General of the Revenue. 20 Nov. Orders A/5. 5. f. 37.

562. LORD DEPUTY AND COUNCIL TO RECORDER STEELE.

" Finding your name in the Instructions constituting a Council for Ireland and being in hopes of your coming over accordingly to assist in the settlement of the affairs of this nation, which by a long rebellion hath contracted such disorders as will necessarily engage the utmost endeavours of those on whom the weight of the government is laid, we, well knowing how much the access of a person of so much integrity and understanding might avail us therein, thought fit to present the consideration thereof unto you, and to invite your company that together we may apply ourselves with more cheerfulness to carry on the work of reformation here and the distribution of justice according to our duty. Hoping the Lord will incline your heart herein, we commit you to his gracious protection." 22 Nov. Letters of the Lord Deputy and Council A/30. 28. f. 16.

563. THOMAS HERBERT TO THE LORD PRESIDENT OF CON-
NAUGHT.

" A petition of Sir Richard Blake, agent for the mayor, sheriffs, burgesses and commonalty of Galway was yesterday read before the Lord Deputy and Council, desiring their recommendation of the Articles of Galway to the Parliament, to be ratified by Act, which they have forborne to give answer to until they speak with your Lordship in the business, to which end you are desired to be here fourteen days hence that the said petition may be then taken into due consideration." 23 Nov. *Ib.* f. 16.

564. " Upon reading the Ordinances of his Highness the Lord Protector and his Council, bearing date 2nd Septèmber last,¹ appointing us to set out to the Committee for clearing of claims and distribution of lands among Adventurers so many acres of meadow, arable land and profitable pasture, Irish measure, as doth amount unto £2621, at the value of those lands in 1640, in such place or places within the ten counties, not being by Act, Ordinance, or Order of Parliament set out, allotted or granted to Adventurers, soldiers or others, or, in the want of land there, in the County of Louth, and, in want of land there, in any other part of Ireland as we should think fit, forasmuch as we find not ourselves empowered to dispose of Bishops' or Deans' and Chapters' lands or lands late belonging to the Crown, and for that all other forfeited lands as well in the said counties as others stand pre-engaged to Adventurers, soldiers and others by Acts of Parliament, or are otherwise set apart by his Highness' orders and not in our dispose, and for that we have some cause to believe that those eleven counties will not satisfy the soldiers and Adventurers allotted thereon, and for that we are not empowered by that Ordinance to set out lands to that Committee in the first place, we do declare our opinions that the said Committee are to expect till it appear that the distributions now making to Adventurers and soldiers do leave some remnant of land in our dispose, that may satisfy this as well as other public debts." 24 Nov. Orders A/5. 5. f. 43.

565. Ordered that Capt. Samuel Playford be recommended to Thomas Hooke, mayor of Dublin, to be employed in inquiring into disorders in the city, and in particular after such as engross coin, use false weights or measures, frustrate markets and exact for portage; as also to inquire after such inn-keepers, taverners and alehouse-keepers as sell drink at undue times and keep disorderly houses contrary to law, and after swearers, drunkards, blasphemers, Sabbath-breakers, adulterers, and such like misdemeanours, dishonourable to God and destructive to civil society and government. 28 Nov. *Ib.* f. 42.

566. Ordered that the agents for the Irish party, that sub-

¹ No. 531.

mitted upon articles made at Kilkenny on 12th May 1652, be allowed counsel, such as they please to retain, and are capable of pleading when the said articles shall be debated. 30 Nov. *Ib.* f. 41.

567. Ordered that Messrs Cook and Basill do consider the Kilkenny Articles in behalf of the Commonwealth, and that Sir James Barry¹ be appointed counsel in behalf of the Kilkenny petitioners. The debate to take place on Monday next at 1 o'clock. 1 Dec. *Ib.* f. 44.

568. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

Ourselves and Council have thought fit, in consideration of the great losses sustained by General Penn² and his wife by the rebellion in Ireland, and as a remuneration of his good and faithful services performed to the Commonwealth, to order that lands of the value of £300 a year in Ireland, as they were let in the year 1640, be settled on General Penn and his heirs. 4 Dec. Letters of Lord Protector and Council A/28. 26. f. 47.

569. LORD DEPUTY AND COUNCIL TO THE LORD HENRY CROMWELL, LORD BROGHILL, SIR ROBT. KING, SIR JOHN TEMPLE, COLONEL SANKEY AND ALDERMAN HUTCHINSON.

“It hath pleased the only wise God (whose wisdom is unsearchable and whose dealings are past finding out) to exercise his poor servants in this nation with some sad strokes and symptoms of his displeasure, as hath appeared in the removal of that eminent and faithful instrument of his and our fellow-labourer in this work,

¹ Sir James Barry, the son of Richard Barry, a wealthy Dublin merchant, was born in 1603. He was trained for the profession of the law, became Recorder of the city, and in 1629 was created Prime Serjeant. His abilities were recognised by Strafford, who knighted him and promoted him second Baron of the Exchequer. Barry showed his gratitude by trying to prevent the Irish House of Commons taking any part in the impeachment of the fallen minister. As a “good Protestant”⁵ he was allowed to practise under the Commonwealth. He was chairman of the Convention that voted the restoration of Charles II; was appointed a Commissioner for the execution of the King’s Declaration, and was created Baron of Santry. He married a daughter of Sir William Parsons, and died in 1673. See Life in *Dict. Natl. Biog.*

² What Penn’s losses in Ireland were does not exactly appear, but the grant was justified by his services. Shortly after receiving it, however, he fell into disgrace and suffered a short imprisonment, ostensibly for returning from Jamaica, after he had captured it in 1656, without permission. He retired to his estate in Munster and entered into a secret correspondence for the restoration of Charles. See Life in *Dict. Natl. Biog.*

the late Col. Hammond,¹ and more lately in visiting the family of another of our number, the Lord Chief Justice Pepys. And as if these had not been sufficient to awaken us (to make us more sensible of his mind) he hath added to these another sad hint of his having yet a further controversy with us, in his eclipsing (as to us) that glorious light and unwearied servant in the Gospel of his Son Jesus Christ, Mr John Murcott,² who departed this life the last Lord's Day. . . ." 10 Dec. Letters of the Lord Deputy and Council A/30. 28. f. 13.

570. Ordered that Col. Hewson, Mr Mayor of Dublin, Col. Lawrence and Alderman Preston do consider of the former superstitious use in forbearing public labour and other honest industry on the days commonly called Christmas holidays, and to offer what they think convenient for the reformation thereof. 18 Dec. Orders A/5. 5. f. 48.

571. "Whereas several surveyors have been lately appointed to admeasure the forfeited lands and other lands belonging to the Commonwealth within the baronies of the ten counties, which are fallen by lot to the soldiers, in pursuance of a contract made with them and according to certain Instructions given them; and whereas an agreement is now made for the survey of all the forfeited lands and all other the lands belonging to the Commonwealth, within the three provinces with Dr Petty,³ it is therefore ordered that the said surveyors do forthwith bring in their respective surveys together with their original field-books unto Benjamin Worsley Esq., Surveyor-General, who with the advice of Dr Petty is to examine the same and to consider what errors there are therein, and whether the same have been duly performed according to the Instructions given them as aforesaid, to

¹ See note, p. 438.

² See note, p. 304.

³ Dr William Petty, one of the most remarkable men of his time, was born in 1623. After for some time holding the chair of anatomy at Oxford he came to Ireland in 1652 in the capacity of physician-general to the army. But his interest was not confined to matters connected with his profession, and becoming convinced that the method pursued by Benjamin Worsley in surveying and measuring the confiscated lands in the ten counties to be allotted to the soldiers and Adventurers was as defective as it was expensive, he offered to undertake the business himself. His proposals were referred to a special committee, which after considerable discussion recommended their adoption. Thereupon on 11 Dec. 1654 a formal contract was drawn up between him and Worsley on behalf of the State, whereby Petty undertook to survey and admeasure and prepare exact maps of all the forfeited

the end the said surveyors, returning in their said respective surveys, may be (agreeable to equity) satisfied what is due to them; and it is further ordered that in case any manifest error or mistake shall be found in any the said surveys, whereby any difference shall arise with the said surveyors on the behalf of the Commonwealth, that the same shall be stated by the said Surveyor-General and represented to the said Lord Deputy and Council to judge of, before the said surveyors be respectively satisfied. . . ." 20 Dec. *Ib.* f. 50.

572. Dr Petty authorised to press persons to show bounds and meres of all the lands that are to be surveyed. 20 Dec. *Ib.* f. 50.

573. Dr Petty authorised to have free access to all documents and records required by him. 20 Dec. *Ib.* f. 51.

574. As no Irish inhabitant is to be found in the Barony of Eliogarty, County Tipperary, the Commissioners at Loughrea are to return four persons, with their families, to lend assistance in surveying the boundaries of that barony. 20 Dec. *Ib.* f. 54.

575. LORD DEPUTY AND COUNCIL TO MR MAURICE THOMSON, MR PENNOYER, MR ROBERT THOMSON AND OTHERS.

"We lately received a petition from Mr Joseph Avery in your behalf and others, who have received Debentures from the Committee for clearing of claims at London for public-faith debts, desiring present satisfaction may be given to those Debentures.¹ In consideration whereof we have had recourse to the

lands within the three provinces of Leinster, Munster and Ulster, distinguishing between profitable and unprofitable lards, and binding himself in £4000 to complete the work of survey within thirteen months. (See Articles of Agreement in *Hist. of the Down Survey*, Ed. Larcum, pp. 23-29.) For his services he was by order of a Council-of-War to receive one penny for every acre of profitable land surveyed by him. There was some slight delay in getting to work, but on 1 Feb. 1655 the surveying began. How successfully he accomplished his great undertaking is well known. The details of it can be studied in his *Hist. of the Down Settlement*, first published in 1851. See *Life in Dict. Natl. Biog.*

¹ To take the case of Maurice Thomson, merchant of London, as an example. Besides being an Adventurer under the terms of the Act and as such receiving satisfaction in the Barony of Dunluce, co. Antrim. Thomson was treasurer of the Committee of Adventurers for additional forces by sea for the service of

Act of Parliament of 26th September 1653, which distinctly settles the course of the debts of several natures, satisfiable out of the forfeited lands here; and finding thereby that not only the Adventurers, but also the soldiers, who have served in Ireland as well before as since 1649, are to be satisfied before any debts due upon public faith of the like nature with yours, and that no power is in us to alter or recede from the order of satisfaction in the Act prescribed . . . we cannot proceed to your satisfaction as is desired, unless further authorised thereunto. . . ." 20 Dec. Letters of the Lord Deputy and Council A/30. 28. f. 17.

576. Ordered that the Sheriff of Dublin do cause public proclamation to be made and notice to be given, within all cities, towns corporate and market towns within his sheriffwick, to all free holders and proprietors of any real estate, which are not yet removed into Connaught [In margin. The like order to the sheriffs of counties Wicklow, Kildare and Meath], that by the Instructions, Acts of Parliament and Declarations of the Lord Deputy and Council of 30th November last past, were and are declared to be transplantable and to be removed into Connaught and Clare, that they do before 10th January now next ensuing [In margin. Wicklow and Kildare 20th January; Meath 1st February] make or cause to be made their claims in writing before Thomas Hooke Esq. and the other Commissioners, sitting at the Court of Wards in the Inns at the City of Dublin [In margin. To the Sheriff of the City of Dublin, returns to be made 20th January. Dated 8th January 1654-5. T. H[erbert]], that are appointed to hear and finally determine both their claims and delinquencies, to the end that according to the Qualifications mentioned in the Act of Parliament, entituled 'An Act for the Settlement of Ireland,' they may receive other lands in Connaught and County Clare, according to their respective merits and considerations under which they fall, as by the said Act of Parliament is set forth and declared, and according to such

Ireland. According to the decision of the Lord Deputy and Council this did not constitute him an Adventurer. After the Restoration his case and others of a similar character attracted considerable attention and the question was propounded whether the subscription, not being a subscription under the Act 17 and 18 Car. I, stood to be satisfied at all. See Documents relating to the case in *Cal. State Papers, Irel.*, 1666-9.

adjudication so to be given at or before the said 10th January, they shall have so much land set out and assigned unto them in the Province of Connaught and County of Clare ; and all such persons now residing in the said county as shall not make their claim in such times and manner as abovesaid, so as that the same may be heard and determined at or before the said 10th January, then all such persons shall not be heard concerning the same, but in the Province of Connaught, and not to have any lands assigned to them there until their said claims and qualifications be heard and determined in the Province of Connaught and county of Clare. 21 Dec. Orders A/5. 5. f. 53.

577. Ordered that the Commissioners-General do send forthwith some trusty person aboard the ship now in harbour bound for Barbados, and inquire what persons are there kept on board, by colour of the late Declaration for transporting vagrants, and whether the master or boatswain of the ship have warrants under the hand of two Justices of the Peace, adjudging them vagrants, and what Justices have signed those warrants, and to view and take a note of the names of the several persons on board the ship to be transported as aforesaid, and to certify matter of fact to us the Lord Deputy and Council. 22 Dec. *Ib.* f. 54.

578. Ordered that the Commissioners-General do detain all vessels, till they have made inquiries that no persons are illegally seized for transportation into the plantations, under colour of the licence for transporting of vagrants. 22 Dec. *Ib.* f. 62.

579. " Upon information given that the prisoners now lying in the gaols in the Province of Ulster are reduced to much misery for want of a competency of provision to be made for the supply of their present necessities, it is thought fit and ordered that the respective Sheriffs and Justices of the Peace of the several counties in Ulster do forthwith examine and consider of the wants of the said prisoners lying in the respective gaols in that province, and forthwith cause provision to be made for them according to law." 22 Dec. *Ib.* f. 55.

580. Ordered that Major Redman,¹ Major Duckenfield, Mr Tobias Norris or any two of them do provide for the transportation of horse and foot from Carrickfergus into Scotland. 22 Dec. *Ib.* f. 56.

581. "Whereas the possessions, rents and revenues belonging to the late archbishops, bishops, deans, deans and chapters and other persons belonging to that Hierarchy within this nation are devolved and come into the actual possession of the Commonwealth, which by being dispersed (in several parts of this nation) into the hands of very many persons, the same are in great danger to be concealed and converted to private uses, if timely course be not had and taken for the prevention thereof, it is therefore ordered by the said Lord Deputy and Council, that Dr Henry Jones and Dr John Harding be, and they are hereby authorised jointly and severally to use all good ways and means for the inquiry into all the possessions, rents and revenues in Ireland, belonging to the said archbishops, bishops, deans, deans and chapters and other persons above-said. . . ." 25 Dec. Commissions etc. A/26. 24. ff. 31-2.

582. "Oliver P. Whereas we by the advice of our Council have constituted and appointed Richard Pepys, Chief Justice of our Upper Bench in Ireland, Miles Corbett, Robt. Goodwin, and Math. Thomlinson Esqs. to be of the Council to our Deputy of Ireland according to several Instructions given to our said Deputy and Council in that behalf, and finding it necessary for the service of this Commonwealth that some addition be made to the said Council there, we, reposing special trust and confidence in the fidelity, wisdom, and advice of our well-beloved son Henry Cromwell² do nominate, assign, and appoint him together with the persons before named to be of the Council to

¹ Major, afterwards Col. Daniel Redman, described as of co. Kilkenny in the General Pardon of 1661. He executed the task entrusted to him successfully, landing six troops of horse at Ayr early in 1655. Proceeding to London, the Council of State ordered that a medal and a chain should be awarded him in recognition of his services. He returned the same year to Ireland. He supported the movement in favour of the restoration of Charles. *Cf.* on the subject of the letter Thurloe, *State Papers*, iii, p. 70.

² The appointment was pursuant to a vote of the Council of State in August that Henry Cromwell should be appointed commander of the Irish army and a member of the new Council. Prof. Firth notices Oliver's reluctance to advance him to this position (*Dict. Natl. Biog.*). Henry landed in Ireland in July 1655.

our said Deputy of Ireland. . . ." 25 Dec. Commissions and Instructions A/27. 25. f. 68.

583. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"In order to the supplying of Ireland with godly and able preachers of the Gospel, Mr Ambrose Jones ¹ is approved of as one able and fit to be sent thither to preach the Gospel, by the Commissioners appointed here for that end; and therefore, for his better encouragement, we desire that you confer the living or benefice, commonly called the parsonage of Kells in the County of Meath, with all the rights and profits formerly thereunto belonging upon the said Ambrose Jones, and, in case the said benefice do not at present yield £100 per annum, you will give order that the said Ambrose Jones do receive out of the Treasury, or otherwise, so much as will make up £100 per annum for his maintenance, according to a late Ordinance to that effect, the said maintenance to begin from the date hereof." 26 Dec. Letters of the Lord Protector and Council A/28. 26. f. 47.

584. Ordered that the land-excise be punctually paid by the persons, who have made contract for it. 26 Dec. Orders A/5. 5. f. 56.

585. Ordered that all thatched booths and cabins be removed from Dublin, and that it be taken into consideration whether Irish Papist merchants should not likewise be removed; also that the works of fortifications about Dublin be viewed and repaired. 27 Dec. *Ib.* f. 57.

586. Ordered that the Judges do consider what previous acts are to be performed by the Adventurers before they can be considered to be in legal possession of their lands. 28 Dec. *Ib.* f. 64.

587. "The Lord Deputy and Council taking into consideration the best ways and means how all such persons of the Irish

¹ Ambrose Jones was the son of Lewis Jones, and brother of Cols. Michael and Theophilus and Dr Henry, the Scout Master. At the Restoration he was on Ormond's recommendation made archdeacon of Meath, and in 1667 he succeeded Thomas Price (elevated to the See of Cashel) as Bishop of Kildare.

nation, who have right to articles, or to favour and mercy held forth by any the Qualifications in the Act of Parliament, entitled An Act for the Settling of Ireland, may enjoy the benefit intended to them and every of them respectively and how all such persons as are transplantable in the Province of Connaught and County of Clare (and that shall transplant themselves accordingly) may effectually and speedily have and receive a like proportion of land, by measure or in value, in the Province of Connaught and County of Clare, and of the like estate of inheritance, free-hold or for the like term of years, or number of lives to be by them held and enjoyed in lieu and satisfaction of such part of their estate, which by such articles or qualifications he or they were and are to enjoy, the said Lord Deputy and Council, in pursuance of the trust to them committed . . . appoint John Santhy,¹ Thomas Hooke, Lt.-Col. Brayfield, [Lt.-Col.] Isaac Dobson, William Frankland,² [Lt.-Col.] Robert Doyly, John Gay² and Edmund Leach Esqs. jointly and severally to be Commissioners³ for the ends and purposes aforesaid, and do hereby grant full power and authority unto them, or any three or more of them, to hear and determine according to law and the directions and rules hereafter mentioned, all claims and demands in or to any lands, tenements and hereditaments made, or to be made, by any person or persons of the Irish nation, being or that have been Popish Recusants, that are transplantable into and that reside or have rights to any estate in the Province of Connaught and County of Clare, whereof he or they so claiming and demanding had or have any lawful right, title and interest unto, and were in possession of at or before 23rd October 1641, or that have any right etc. thereunto, lawfully descended or come unto them since, which said right etc., so by them claimed and demanded, is or hath been saved or granted unto them by virtue of any articles agreed upon between them and any the commanders of the Parliament's forces, thereunto authorised, or that they have right and title unto by virtue of that favour and mercy that is held forth to such persons by any the Qualifications in the said Act for

¹ John Santhy, created Chief Justice of the Upper Bench in 1658 and a Baron of the Exchequer in 1659, died intestate at Dublin in 1686.

² William Frankland or Franklin and John Gay were afterwards appointed clerks of decrees in the Court of Chancery.

³ Commonly called the Athlone Commissioners.

Settling of Ireland, and also by the further Instructions from the Council of State, bearing date the 2nd July 1653; and further to hear and determine all and singular the crimes, offences, and misdemeanours of any the persons, so making such claims to any lands etc. as abovesaid, by them done or committed the said 23rd October 1641, or since, which said crimes, offences and misdemeanours are mentioned in one Act of Parliament made in the seventeenth year of the reign of King Charles, and is entitled 'An Act for the speedy and effectual reducing of the rebels in His Majesty's Kingdom of Ireland to their due obedience to his Majesty and the Crown of England.' " And it is likewise in their power to examine witnesses, to make entries of their depositions, and to give final judgment, as they or any three or more of them shall judge to be just and reasonable. One copy of the claims to be sent to the Lord Deputy and Council, and another to the Lord President of Connaught and other the Commissioners appointed for setting out lands. 28 Dec. Commissions etc. A/26. 24. ff. 33-7.

588. T. HERBERT TO THE COMMISSIONERS APPOINTED TO EXAMINE DELINQUENCIES IN THE PRECINCTS OF ATHLONE, ATHY, KERRY AND DUBLIN.

" You were empowered by Commission from the late Commissioners of the Commonwealth, bearing date 16th November 1653, to take examinations upon oath in the behalf of the Commonwealth for the discovery of the delinquency of such persons within your precinct as have acted or assisted in the rebellion of Ireland against the Parliament; but you have not hitherto made any return thereof, which being a work of very great concernment and of present use, and without which the Committee now appointed to proceed upon such examination to adjudge of Qualifications and Claims cannot proceed, I am ordered by the Lord Deputy and Council to quicken you in your work, the speedy perfecting whereof will both redound to the advantage of the State and expedite the business in agitation." 28 Dec. Letters of the Lord Deputy and Council A/30. 28. f. 19.

589. " Upon reading the proposals presented by the Commissioners sitting at Loughrea, appointed for setting out lands to the transplanted Irish in Connaught and Clare, and of the report of the chief officers of the army (unto whom it was referred) thereupon, it is thought fit and ordered :—

" 1. Concerning the proprietors whose lands are laid out to the disbanded soldiery in the barony of Tirawley,¹ that the said proprietors be allowed their proportion of lands in some other convenient place, and that such transplanted persons, who were formerly assigned for that barony be likewise elsewhere placed, where the said Commissioners at Loughrea shall judge most convenient.

" 2. Concerning widows' jointures, whether such jointures only as were made before the Rebellion, or such which were made since their husbands became Delinquents should receive satisfaction in Connaught and Clare, that such widows, who ought to have any part of their jointures allowed them, are such only whose jointures were made unto them before the Rebellion.

" 3. Concerning the defection of the return of certificates of the stock and substance of the transplanted persons for want of Commissioners of Revenue in the precincts in Ireland, speedy course will be taken that any two of the Commissioners of Assessments in the respective counties, whereof the Commander-in-Chief of the said counties is to be one, shall be empowered to give out certificates to the said persons, as formerly it was done by the said Commissioners of Revenue.

" 4. Concerning power to be given to the said Commissioners at Loughrea to adjudge of the qualifications of transplantable persons, it is intended that there shall be a Court set up in Connaught very speedily for that purpose.²

" 5. Concerning the laying out of lands to transplanted persons according to their stock, whether consideration is not to be had of the quality and conveniencies of their former estates, that the said Commissioners at Loughrea have power to ascertain places of abode to transplanted persons with regard had to the resemblance of the places or baronies to the nature and quality of the soil whence they are removed.

" 6. Concerning the having of transcripts of maps and surveys

¹ Co. Mayo.

² See No. 587.

of the Province of Connaught taken in the Lord Strafford's¹ time, that when the rest of the evidences goes for Connaught, that relates to qualifications, transplantation and setting out of lands there to the Irish, care shall be taken that either transcripts, or the originals of the said maps and surveys be transmitted thither therewith. . . .

"And upon consideration had of the proposals of Major Ormsby touching such intervals of lands in Connaught, that lay waste betwixt the respective proportions of land already set out to the transplanted persons, and of the prejudice that may in the future happen to the Commonwealth thereby, it is further ordered that the said Commissioners at Loughrea, in their setting out of lands as aforesaid, do take care that they place the transplanted persons as close together as they can, to avoid such intervals, and that they leave waste in any one barony in Connaught or Clare not above one-fourth part thereof. . . ." 29 Dec. Orders A/5. 5. ff. 59-60.

590. Ordered that Major-General Sir H. Waller, Commissary-General Reynolds, Sir C. Coote, Cols. Hewson, Venables and others do take measures for properly furnishing a hospital in Dublin for the relief and accommodation of sick and wounded soldiers. 3 Jan. 1654[-5]. Commissions etc. A/26. 24. ff. 19-20.

591. "For the better and more due stating of all and every the accounts of such officers and soldiers, who, upon the revolt and defection of the Lord of Ormond and Inchiquin, were seduced and drawn away by the power and policy of the said lords to follow them in their pernicious and treacherous revolt, but after, being sensible of their said offence, have given real and eminent testimonies of their good affection to the Interest of the Commonwealth of England, and by one Ordinance of his Highness, the Lord Protector, made and published 1st August² 1654 are thereby declared to have their arrears, grown due

¹ Cf. as regards the survey made by Strafford of Connaught and co. Tipperary, *Hist of the Down Survey*, Ed. Larcom, pp. 325-327. As is well known, Strafford's maps were destroyed by fire in 1711; but Raggett's amended copy of the Tipperary survey is preserved in the Public Record Office, Dublin, and gives a fair idea of their character. There is reason to believe that Petty's general map of Connaught was based on them.

² ? recte, 27 June.

for services before the said revolt or defection, in such manner as, in and by the said Ordinance or Declaration, is set forth, it is ordered that Col. Robert Sanders, Lt.-Col. Philip Ebzury,¹ Major Peter Wallis, Major Bryan Smith, Major John Denison, Major Richard Hodden and Captain Godfrey,² or any two or more of them shall and may and are hereby authorised, at such time and place as they shall appoint, to send for and to cause to come before them all and every such person or persons as they shall judge fitting, as can materially testify, discover, and make known what person and persons were forward in or promoting of the rendition of the towns of Cork, Youghal, Kinsale, Bandon, Cappoquin and other forts, castles and garrisons adjacent in the County of Cork to his Highness the Lord Protector, then Lord Lieutenant of Ireland, before 1st December 1649, and have lived peaceably ever since under the protection and obedience of the Commonwealth. . . .”
6 Jan. *Ib.* ff. 21-3.

592. “Whereas, through the late horrid Rebellion and miseries occasioned thereby, the ordinary course and distribution of justice hath (in great measure) been interrupted, which being (through the goodness of God) now quieted, the Lord Deputy and Council have thought fit, for the more effectual revival of justice and putting the laws in execution throughout this nation, that the judges should commence their circuits throughout Ireland in February next, and from thenceforward to continue the same at the time and seasons heretofore accustomed. . . .”
6 Jan. Orders A/5. 5. f. 66.

593. “Whereas by one Declaration, bearing date 14th October 1653, all and every person and persons, who claim any estate or interest in lands in Ireland, and are to remove and transplant themselves into Connaught or County of Clare, were to give in and deliver in writing to the Commissioners of the Revenue, within the respective precincts in Ireland (wherein such persons respectively inhabit or reside) their names and the names of the persons in their respective families, their tenants and other

¹ Ebzury, or Ebzery, of Sir H. Waller's regiment, obtained lands in co. Westmeath, which were confirmed to his son John by the Act of Settlement.

² Probably John Godfrey, who obtained lands near Milltown, co. Kerry, still or until recently, I believe, in the possession of his descendants.

persons that shall willingly remove with them, and for all other persons, for whom by law they are bound to provide, with the respective places of abode from whence they do remove, with other marks of distinction for every respective person, with the number, quantity and quality of their respective stocks and tillage, to the end that certificates might be forthwith given them and lands set out unto them in such manner, as by the said Declaration (and one other Declaration of 28 December 1653) is set forth and appointed; and whereas several persons residing in the said respective precincts which are to transplant as aforesaid have neglected the taking out of certificates as aforesaid,¹ and whereas the power of the said Commissioners of the Revenue in the respective precincts (as Commissioners) is dissolved, whereby they cannot proceed to the giving out of certificates in pursuance of the said Declarations, it is therefore thought fit and ordered that the Commander-in-Chief in the respective precincts in Ireland, with the assistance of any two or more of the Commissioners for Assessments be, and they are hereby empowered to grant certificates to the respective persons, that are transplantable in the said precinct (that have not hitherto taken out certificates as aforesaid) in as full and ample manner as the said late Commissioners of the Revenue did, according to the tenor of the said Declaration. . . ." 8 Jan. *Ib.* ff. 70-71.

594. Ordered that a ship bound for Barbados be searched. 24 Jan. *Ib.* f. 75.

595. "Whereas many differences do arise in the Courts of Civil Judicature in Ireland between persons that have submitted to the Commonwealth of England on articles and others that do commence suits against them in the said Courts, and upon consideration had of several appeals made unto this Board by such as deem themselves grieved thereby, and to the end that due relief may be given in such cases, as is and shall be agreeable to justice and the true intent of the said articles, it is ordered that Major-General Sir H. Waller, Col. Hewson, Sir Gerard Lowther, Justices Donnellan and Cook, Col. Lawrence, Scoutmaster-General Jones, Quartermaster-General Vernon, Col. Barrow,

¹ Certificates of Transplanters (1653-1654) are preserved in the Public Record Office, Dublin. 1c. 8c. 126 and 127. (*Indexed.*)

Majors Wallis, Smith, and Jones, and Capt. Shaw¹ or any five or more of them be, and they are hereby constituted and appointed to be Commissioners for the due execution and making good all Articles of War, and are hereby authorised to hear all such appeals (the business being betwixt party and party) as are or shall be made unto them, by any person comprehended in articles, that have such suits depending against them in the Courts of Justice in Ireland or otherwise; and that if, upon debate thereof, they shall see just cause, they are further authorised to respite the proceedings of the said Courts against such persons till further order (regard being had that thereby no prejudice come to the interest of the Commonwealth) and in the meantime to hear and determine the matter in difference touching the breach of any articles, according to justice and the true sense and meaning thereof. This order to be in force until 10th February next ensuing." 24 Jan. *Ib.* f. 75.

596. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

Nathaniel Weare from New England, "a godly sober Christian," to be admitted to take leases of lands in Ireland. 24 Jan. Letters of the Lord Protector and Council A/28. 26. f. 48.

597. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

The administration of justice is delayed by reason of the want of seals to authorise commissions "and although during the war some ministration of justice hath been done in this nation, and during the war the officers and ministers did many things in that way, and the people yielded obedience thereto, but now it being declared the war to be at an end, those very persons that acted before some of them do now question their power for want of seals and courts according as the law doth appoint, and also the people begin to question their power, and in some places such as have and do act are threatened and in fear to be sued for what is done as not according to law. We shall not need to lay before

¹ Capt. Shaw (his Christian name does not appear) has left his mark in history as the person who arrested Ludlow at Beaumaris, when he so unceremoniously took his leave of Ireland in October 1655. (Ludlow's *Memoirs*, i, pp. 425-429, 431.) Shaw is said to have acquired considerable wealth as a receiver of rents for lands set out to soldiers in 1655, before those lands were particularly distributed, for which he rendered no account. *Cal. State Papers, Irel.*, 1662, p. 633.

your Highness what advantage the enemy may and doth take thereby, and how the hands of your servants here are like to be weakened, and what ill consequences may happen if some timely and speedy course be not had therein. Our humble suit is that we may know in this your Highness' pleasure; and withal again humbly present unto you the sad condition your forces are like to be in for want of treasure sent over, there not being any visible means for subsistence of your army by free quarter for any time, without a total destruction of the now beginning plantations of a wasted, desolate country and dissolving the discipline of the army, which at present through the mercy of the Lord, and your Highness' goodness and tenderness over us is hitherto preserved. . . ." 25 Jan. Letters of the Lord Deputy and Council A/30. 28. f. 24.

598. Ordered that Col. Eyre¹ be arrested when he comes over from England, on suspicion of promoting a disturbance of the public peace. 26 Jan. Orders A/5. 5. f. 76.

599. Ordered that such Catholic priests in custody in Dublin, as are not found guilty of murder, be transported to Barbados. 26 Jan. *Ib.* f. 77.

600. Ordered that the excise on salt used in the fishing trade be remitted. 26 Jan. *Ib.* f. 78.

601. Whereas several murders, rapes and robberies have lately been, and daily are done and committed by wicked and bloody rebels of the Irish nation, who, notwithstanding all those sore and grievous judgments of the Lord upon the nation and the

¹ Lt.-Col. William Eyre (sometimes but wrongly written Ayre) was one of those who sided with Ludlow and Alured in their disapprobation of the Protectorate. He was arrested on his arrival in Ireland, and detained in prison for a considerable time. (See below, p. 501.) Being set at liberty and returning to England, he was again arrested on 12 June 1655 in London, and with others committed, on the motion of Lambert, to the keeping of Serjeant-at-Arms Dendy. (*Cal. State Papers*, Dom., 1655, p. 204, and *Clarke Papers*, iii, p. 43.) Though afterwards apparently reconciling himself to take the oath to the Protector, he boldly defended Ludlow's refusal to do so on the score of conscientious scruples. (Ludlow's *Memoirs*, ii, p. 53.) He remained a republican, and an order was issued for his arrest on the eve of the Restoration, but he seems to have escaped to Ireland, where, however, he was arrested and committed to the Castle in November 1662 on a charge of tampering with the army to upset the Government. *Cal. State Papers*, Irel., 1662, p. 628.

great misery and spoil thereof and the mercy and favour extended forth by the Parliament of England to all such as should thenceforth live peaceably under the English Government, yet notwithstanding do still continue their wonted evil courses, and by murders, spoils, rapines and thefts do disturb the people of this nation, to the great terror of such English and other well affected persons as desire to live peaceably and to the disturbance of the public peace, it is ordered that no quarter be henceforth given to any Irish rebels, that shall be in arms and hostility. Further the Commander-in-Chief in every precinct, and the commissioned officers of the said precinct, or any five or more of them, whereof one is to be a field officer, are authorised and required to hear and determine all murders, massacres, robberies, spoils and acts of hostility done and committed by any of the said rebels and their accessaries and abettors, being of the Irish nation ; and the said Commissioners are to proceed to the trial, condemnation and execution of all such offenders respectively, and to inflict such punishment by death or otherwise in such manner as the said commissioned officers or any five or more of them shall judge to appertain to justice and the nature of the offence and according to the articles and ordinances of war now in force in case of murderers and spies, as in the said ordinances and articles is provided. And it is further ordered that this Commission be in force for three months from the date hereof. 27 Jan. Commissions etc. A/26. 24. f. 27.

602. T. HERBERT TO SECRETARY THURLOE.

"I am commanded by the Lord Deputy and Council to acquaint you that upon some notice they had from the *Diurnal Record* by the last week's packet that Colonel William Ayre,¹ a complotter in the late conspiracy in England, and consideration had of his former levelling principle, they thought fit to secure his person at his landing yesterday at Dublin. He is in safe custody with the Serjeant-at-Arms, until his Highness the Lord Protector's pleasure be signified how he shall further be disposed of. . . ." 27 Jan. Letters of the Lord Deputy and Council A/30. 28. f. 23.

¹ Or Eyre, see preceding note.

603. LORD DEPUTY AND COUNCIL TO [THE COMMISSIONERS FOR SETTING OUT LANDS TO THE DISBANDED SOLDIERS].

“ By a letter from the late Commissioners of the Commonwealth dated 10th July last you were required, with what expedition was possible, to transmit up hither the account of the subdivisions of the soldiers among themselves in distinct books, according to the number of baronies set out to them. In the return of which you were directed to divide each of the said baronies respectively into parishes, and those again into the proportions of each disbanded officer and soldier, which are now proprietors in the said parish, with the quantity of each man’s particular land, together with the name of the same, how usually called, and the sum or sums of arrears satisfied to him, and so to proceed from one proportion to another until the several subdivisions made by all the officers and soldiers in every one of the grand allotments within each barony were particularly described and specified.” But pretexts of delay have arisen. In order to obviate the same it is “ thought fit that for every barony set out by you to the soldiers one book fairly engrossed be returned by you entitled—*A Book or Return containing the divisions of the Barony of in the County of , according as the said Barony was distributed and set out by lot to the disbanded officers and soldiers, whose names were inserted or added by special order unto a list sent down to us and annexed to a Commission and Instructions bearing date the 10th of January 1653[-4], and as the said lots were entered before us the day of in the year*

. Within every one of which respective books you are in the first place to set down the number of the grand lots or principal divisions cast by you in the said barony, and for what officers, and by what name the said grand allotments were called ; after which you are in the next page to describe or enter each of the said grand allotments or divisions at large, therein setting down the names of every of the particular persons which were contained in the said respective allotments, together with the sum of each man’s respective arrears over against his respective name and the total of the arrears of the whole allotment at the bottom. You are likewise to set down the names of the parishes, towns or lands assigned to the said respective allotment, with the quantity of profitable acres in

each of the said towns and lands returned in to you by estimate, together with the quantity of the whole and the names of all such proprietors whose lands they were in 1641 and who forfeited the same. . . ." 31 Jan. *Ib.* ff. 43-5.

604. T. HERBERT TO JOHN THURLOE.

"Mr Justice Cook, Captain Shaw and myself were ordered¹ by my Lord Deputy and Council to repair unto Lieut.-General Ludlow, to demand his two military commissions, and in case of refusal, to take his parole in writing that he should by or before 10th March next present himself unto his Highness, the Lord Protector, at Whitehall. He chose rather to engage for the latter than to give up his commissions. Whereupon we took his parole, the true copy whereof I am commanded by his Excellency the Lord Deputy and Council to send you, which accordingly I have enclosed [wanting]. I have by the Council's order also sent you Colonel William Eyre's examinations. He hath been in restraint since then and so continueth. Yesterday Colonel Daniel Treswell was secured and examined. He was agent for the Prince of Condé. Little appears from him against himself as party to the plot. Divers others are under examination, which together will be transmitted to you by yours etc." 2 Feb. *Ib.* ff. 27-8.

605. SAME TO THE COMMITTEE FOR THE APPROBATION OF MINISTERS.²

"I am commanded by my Lord Deputy and Council to signify unto you that one Mr Dunbarre repaired lately unto them at Dublin with a certificate, writ, as he says, by himself, but signed by your Register, intimating that (upon his approbation to preach the Word in Ireland) he received £50 there for the charge of his transportation. Howbeit the said Mr Dunbarre producing no testimonials concerning his good conversation and fitness for the ministry (as the other two did that came with him) trial was here made of his gift, and some of the chief and godly ministers so much dissatisfied that the Council have ordered him £20 out

¹ See Ludlow's *Memoirs*, i, pp. 411-412, note.

² Appointed by an Ordinance of 20 March 1654. See Firth & Rait, *Acts and Ordinances*, ii, pp. 855-858.

of the public Treasury here to defray his expense back into England. . . ." 7 Feb. *Ib.* f. 29.

606. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS OF ASSESSMENTS FOR THE COUNTY OF GALWAY.

Call their attention to the fact that the sum of £243. 5. 4½ was due to the Treasury from the counties of Galway, Mayo, Sligo and that part of Leitrim formerly within the Precinct of Galway, advanced for wolves destroyed there in pursuance of the Proclamation of the late Commissioners of the Commonwealth for the destroying wolves etc. Undated. *Ib.* f. 30.

607. "Whereas the Adventurers, officers and soldiers of the army have their lots fallen upon the lands of divers of the delinquent Protestants within the ten counties, who, by the Ordinance of his Highness and Council, dated 2nd September 1654, are declared capable to compound for the same; howbeit [as] the said Adventurers and soldiers desire to be put into possession of the said estates for and towards satisfaction of their respective arrears, it is referred to the Lord Chief Justice Pepys and Miles Corbett Esq. of the Council, and Sir Gerard Lowther, Justice Donnellan, Justice Cook and Justice Ludlow or any three or more of them to consider the said Ordinance and the Acts of Parliament made in behalf of the Adventurers and soldiers, and to report their opinion with all possible speed, whether the Lord Deputy and Council have power to give the said Adventurers and soldiers present possession of those delinquent Protestants' lands, who have not completed their compositions." 10 Feb. Orders A/5. 5. f. 81.

608. "Ordered that it be referred to Sir H. Waller, Sir Gerard Lowther and the rest of the referees, appointed by order of the 8th of this inst. to consider of the grievances of the submittees upon Kilkenny Articles, to consider of the Act of Settlement and the Declaration of the late Commissioners of the Commonwealth of 27th July 1653, and thereupon to report their opinion, whether the pleasure of the Parliament (referred to in their vote of the 9th inst.) hath not been declared by the said Act and Declaration, touching the said submittees,

or whether they ought to enjoy the full rents and profits of their whole estates by virtue of those Articles after the said 27th of July 1653. And they are to meet together about this business on Wednesday next in the afternoon and make report of their opinion with all speed." 12 Feb. *Ib.* f. 83.

609. Ordered that the Committee of Articles be desired to meet every Monday at the Inns of Court. 16 Feb. *Ib.* f. 86.

610. Ordered that a Committee be appointed to consider if the Irish tenants, not being proprietors nor soldiers, are to be continued in the counties near Dublin. 19 Feb. *Ib.* f. 87.

611. Ordered that a Committee do consider what Protestant towns require ministers of the Gospel. 20 Feb. *Ib.* f. 87.

612. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"Having received information that Sir Andrew Aylmer¹ hath suffered very great losses by the Irish, by burning his house at Donneday and taking away his cattle and goods for his adhering to the English, and that he lived peaceably at home, paying contribution to the English army until he was necessitated to quit the same, being brought under the power of the enemy, and that he never took up arms, but came in upon our Proclamation and desired protection from us, and hath ever since lived quietly paying contribution. Wherefore, if this be the truth of his case, we think fit that he be permitted to live peaceably upon his estate, paying contribution, and not to be transplanted amongst the Irish into Connaught, where he fears that he and his family would be starved or knocked on the head by the Irish, who are enraged against him for his constant adhering to the English, and for that he took some of the Irish prisoners and carried them to the Naas where they were hanged. Indeed in such cases a consideration ought to be had and a distinction to be made of persons, which we would have you to do in this, if it appears to

¹ Sir Andrew Aylmer, in spite of this letter, does not appear to have received much satisfaction from the Irish Government. His estate of Donneday or Donadea, with other lands in co. Kildare, passed into the possession of Dr John Owen. (See above, p. 17, note.) But at the Restoration Aylmer obtained an order for its recovery. *Cal. State Papers, Irel.*, 1660, p. 39.

you to be as it is suggested to us." 21 Feb. Letters of the Lord Protector and Council A/28. 26. f. 51.

613. Ordered that no person be allowed to remove out of Scotland into Ulster or other parts of Ireland without licence. 1 March. Orders A/5. 5. f. 91.

614. INSTRUCTIONS FOR WILLIAM ROWE ESQ. AND CAPTAIN RICHARD KINGDON.

"Concerning Adventurers: (1) That few as yet come over to make any effectual plantation by English to stock or manure waste lands. (2) That the Lord Deputy and Council have been ready and still are to give all encouragement to such as do come over. . . ."

To let the Adventurers' Committee at Grocers' Hall know that one Avery, their agent here, has made many proposals on their behalf which cannot be granted, viz. 1. that no Protestant Delinquent be permitted to compound; 2. that all leases made for seven years or under by the late Commissioners of Parliament be made void; 3. that all the lands in the ten counties belonging to the Adventurers be put into their hands, to what end is not known; 4. that all grants of lands to particular persons by order of Parliament be made void.

"As to the great contribution that now is on the nation, and the true cause of the difficulty in the same, is for that the Adventurers and others let the lands still lie waste, so as the burden does lie very heavy on the land that is planted, and is like to continue till the Adventurers or their agents come over and plant the country.

"And you are to make it known to the Adventurers and their Committee that such persons as do raise the scandals and reproaches on the ministers and officers here, that they would instance any one particular wherein they have been unjustly dealt withal and by whom and to certify the same unto us, so as the oppression (if any be) may be removed. . . .

"You are to acquaint his Highness that there is like to be a great scarcity of timber in Ireland, and that, except some timber in the counties of Cork and Carlow, the whole woods of Ireland are granted away in security to the Adventurers and

soldiers, by reason of which there is not only a danger of want of timber, but also of discouragement to English planters. For prevention of which you are to use your endeavours that the timber woods in the counties of Wexford, Wicklow, and those in the half of the King's County, fallen by lot to the soldiers, be reserved in the Commonwealth (those woods being not only fit to raise money, if occasion serve, but also afford much good timber for building ships and lies only convenient for carriage and on rivers for that use); and that, in consideration thereof the soldiers have the like proportion of land, the said woods grow on, set out to them in Connaught, of the land reserved by Act of Parliament along the sea side a statute mile in breadth from Sligo to Galway, and if that fall short, then to supply such defect out of the remainder of the forfeited land in that province not disposed of to the Irish proprietors according to their qualifications; against which the soldiers have no just ground to except, those lands being at present improvable and very good and cheife (*sic*) and affords much profit by fishing.

“ You are also to acquaint his Highness that the Adventurers for lands in Ireland, not coming over to take possession of their lands fallen to them by lot, the same generally lie waste, and by that means the proportion of the present assessments of £10,000 *per mensem*, which in equity ought to be borne by the said Adventurers, lies on the rest of the inhabitants to their great oppression and burden, which tends to the discouraging the plantation in general, endangers a dearth of all provisions, those lands lying waste; and to desire his Highness to give power for the letting such waste lands, in case the said Adventurers' lands be not planted by the 28th September next, or otherwise to provide an expedient therein.” 1 March. Commissions etc. A/26. 24. ff. 40-4.

615. Commission to James Donnellan and Walter Carwardine to be Justices of Assize in the counties of Louth, Down, Antrim, Armagh, Tyrone, Donegal, Fermanagh, Cavan, Monaghan and in the town and county of Carrickfergus and in the city and county of Londonderry. 1 March. *Ib.* f. 46.

616. Commission to John Santhy and Thomas Fowles to be

Justices of Assize in the counties of Westmeath, King's County, Longford, Roscommon, Galway, Mayo, Sligo and Leitrim and the town and county of Galway. 1 March, *Ib.* f. 47.

617. Ordered that it be referred to the Commissioners of Revenue to prepare a Declaration and Order for the sale of corn growing upon the land late in the possession of such Irish, as are adjudged liable to the penalty for not transplanting into Connaught and Clare, according to the late Declaration of 30th November last in that behalf, the proceeds thereof to be paid into the public Treasury. 2 March. Orders A/5. 5. f. 92.

618. Ordered that a Committee be appointed to meet in the Long Gallery in Cork House and there to sit *de die in diem*, to consider of the Irish lately secured, or which shall be secured for not transplanting into Connaught according to the Acts and Declarations in that behalf, and to examine the respective conditions of such persons so restrained and also the grounds and reasons of their non-transplanting and to report thereupon. 3 March. *Ib.* f. 90.

619. Ordered that the Commissioners-General of the Revenue do treat with the officers of the army, concerning the tenancy of such part of the moiety of the ten counties (assigned to the army for their arrears by Act of Parliament) as is now untenanted or shall prove untenanted and in the dispose of the State at May next; and to consult how those lands may be tenanted for the public good and without prejudice to the proprietors. 3 March. *Ib.* f. 93.

620. T. HERBERT TO THE GOVERNOR OF TIMOLIN.

"By an Order of the late Commissioners of the Commonwealth (a copy of which order is enclosed) upon consideration of that bloody murder committed at Timolin¹ upon a person well affected to the English Government, the Irish of that town were to be forthwith transplanted into Connaught. Howbeit the Council being informed that the tenor of that Order hath not accord-

¹ Co. Kildare.

ingly been put in execution, you are to cause the same to be duly observed and to certify this Board why the same hath received such delay." 8 March. Letters of the Lord Deputy and Council A/30. 28. f. 42.

621. "Upon reading the annexed petitions of Arthur Annesley¹ Esq. and other proprietors of lands in the counties of Dublin, Wicklow, Wexford, Carlow and Kildare, and of William Dubancks, in behalf of the husbandmen and farmers in the County of Wexford, it is thought fit and ordered that it be referred to Sir H. Waller, Cols. Hewson, Sankey, Lawrence, and Axtell, or any three or more of them, to consider the said petitions and also of the interest of the Commonwealth and public safety therein concerned, and thereupon to consult and advise what part of those five counties are fit to be totally cleared of all Irish and Papists; what other parts thereof respectively may be tenanted by such Irish, as (not being proprietors nor men that have been in arms) shall be thought fit to be dispensed with from transplantation; and how the rest, for present security, may (for some time) be laid waste; and likewise how the respective towns and villages (where such Irish shall be suffered to inhabit) may be disposed of, with most security and least offence to the neighbouring English. They are further to consider what penalties may be fit to be imposed upon those Irish, in case any thefts or murders be perpetrated upon any English within the line, and they are to report what else they conceive material for the better encouragement of the English plantation in those counties, and make return thereof with all speed." 9 March. Orders A/5. 5. f. 95.

622. Ordered that Dr Philip Carteret, Advocate-General of the Army, do proceed in the examination of witnesses concerning the respective conditions of Irish under any of the Qualifications for transplantation, according to the rules given in the Acts and Declarations for transplantation, and the usual practice

¹ Arthur Annesley, afterwards 1st Earl of Anglesey, the son of Sir Francis Annesley (who came to Ireland in James I's reign) played a considerable part in the negotiations that led to the surrender of Dublin by Ormond to the Parliament in 1647. His attitude during the Rebellion and Commonwealth was that of an English settler in Ireland, anxious to preserve the connection with England, but he was not a republican and did his best to promote the Restoration. See Life in *Dict. Natl. Biog.*

in case of prisoners for crimes answerable at a court. 9 March. *Ib.* f. 96.

623. Ordered that a Committee be appointed to remove obstructions in the setting out of lands to the Adventurers, resulting from their having too much land in certain cases and from reckoning profitable lands as unprofitable. 12 March. *Ib.* f. 118.

624. "Whereas it is informed that several Adventurers, whose lots are to be first satisfied, according to the method in that behalf set down by the Committee of Adventurers, constituted by his Highness' Ordinance of 1st August last,¹ having made their entries on the forfeited lands in the baronies liable to their satisfaction, do not only possess greater proportions than their lots will bear, but also take in, upon the account of barren and unprofitable, much profitable pasture and meadow, whereby not only the succeeding lots in those baronies are defeated, but also the Commonwealth is much prejudiced. For remedy whereof and the removal of all obstructions and discouragements to the Adventurers' present enjoyment and planting of the lands fallen within their respective lots, the Lord Deputy and Council, according to the power by the said Ordinance granted to them for hearing and determining all differences that shall happen and arise between the said Adventurers, have thought fit and ordered that Dr Henry Jones, Dr John Harding, Thomas Hooke and Ben Worsley Esqs., or any two or more of them, be, and are hereby constituted and appointed a Committee to receive and consider of all complaints, which shall be made concerning the obstructions and discouragements above-said. . . ." 12 March. Commissions etc. A/26. 24. f. 54.

625. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS AT LOUGHREA.

"Being sensible that, in pursuance of our late printed Declarations for transplanting, the Irish (concerned) will be daily repairing into Connaught and Clare to receive their respective proportions of lands according to their qualifications, we have thought

¹ See Firth & Rait, *Acts and Ordinances*, ii, p. 942.

fit by this our letter to quicken your utmost care and diligence in the trust committed to you that, as addresses are and shall be made unto you by such transplanted persons, they may receive a despatch suitable to their conditions and necessities, and that their respective proportions may be set out unto them, with such houses and other fit accommodations for themselves and families, as may be not only agreeable to your Instructions, but also with ease and satisfaction to those people. Your constant attendance upon and effectual management of this affair is expected, and that none of your number do remove or fail of giving due attendance upon that service, which is earnestly recommended unto you by your loving friends." 14 March. Letters of the Lord Deputy and Council A/30. 28. f. 42.

626. "Whereas by Instructions from the Council of State, bearing date 2nd July 1653 and since confirmed by Parliament, the late Commissioners of the Commonwealth were authorised and required (for the better security of all those parts of Ireland, which are intended to be planted with English and Protestants) either by Proclamation or otherwise, to publish and declare that all and every person and persons, who have right to articles or to any favour or mercy held forth by any the Qualifications in the Act of Parliament entituled *An Act for the Settling of Ireland*, should before 1st May 1654 remove and transplant themselves into the Province of Connaught and the County of Clare, or one of them, and that whatsoever the said person or persons should, after the said 1st May 1654, be found inhabiting or remaining in any part of the provinces of Leinster, Munster or Ulster (except in the said County of Clare) or (without a pass from the said Commissioners or any one of them, or from such person or persons as should be authorised by them to that purpose) travelling in any of the said three provinces (except in the said County of Clare) he and they should be reputed as spies and enemies, and should, for the same offence, suffer death; and the said Commissioners were further authorised from time to time to issue out commissions for the speedy apprehension, trial and execution of such offenders; and whereas by a Declaration of the Lord Deputy and Council, bearing date 30th November last past, all such persons in Ireland, having right to articles or to any favour or mercy held forth by the Qualifications in the Act

entituled *An Act for the Settling of Ireland*, that are proprietors of lands in Ireland, or that have, at any time since the 21st October 1641, been in arms and hostility against the Commonwealth of England, their army and forces, or that have acted, aided or assisted in the late bloody Rebellion in Ireland at any time at or before the 21st October 1642, were required to remove and transplant themselves into Connaught or Clare by or before 1st March last past, and in default thereof should lose and forfeit not only their corn, gardening or planting, but also incur the penalty by the former Act, Instructions and Orders resolved to be inflicted on such persons as should not conform to the transplantation aforesaid; and whereas many persons, declared to be persons transplantable by the said Declaration as abovesaid, have, since 1st March continued and still do continue in the provinces of Leinster, Munster and Ulster, and therein wilfully neglected and refused to transplant themselves into Connaught or County of Clare, as by the said Declaration is declared, for which said offences they have incurred the penalties in their said Instructions, Act of Parliament and Declaration held forth, the Lord Deputy and Council, in further pursuance of the said Act and Instructions and Declaration abovesaid, and for the better execution thereof, have thought fit and resolved and do hereby order and require all officers and soldiers of the army to cause diligent search and inquiry to be had and made after all Popish Recusants of the Irish nation, that have been in arms and hostility against the Commonwealth of England, their armies and forces, or that are proprietors of lands in Ireland, or that acted, aided or assisted the late bloody Rebellion in Ireland at or before the 21st October 1642, being persons declared to be transplantable as abovesaid, and have not obtained any licence from the said Commissioners of the Commonwealth or from the said Lord Deputy and Council, or from any person authorised by the late Commissioners of the Commonwealth to give licences, which were not to exceed 1st May next, and are now residing in the said three provinces of Leinster, Munster and Ulster (except the County of Clare), and them to cause to be apprehended and put in prison in order to their trial. And it is further ordered that Sir H. Waller, Roger Lord Broghill, Sir C. Coote, Commissary-General Jo. Reynolds, Cols. Robert Venables, Jo. Hewson,

Hierome Sankey, Henry Pretty, Dan. Axtell, Jo. Foulke, Wm. Leigh, Thos. Sadler, Solomon Richards, Dr Henry Jones, Quartermaster-General John Vernon, Adjutant-General Wm. Allen, Major Anthony Morgan, Lt.-Col. Wm. Arnopp, Major Bryan Smith, Major Hen. Jones, and all other commissioned officers of the army within the Precinct of Dublin, above the quality and degree of a cornet or ensign, and also the respective Justices of the Peace for the counties within the said precinct or any twelve or more of them, whereof the said officer to be president, and shall be and are hereby constituted, appointed and authorised as a court-martial, to hear and determine the several offences of persons by the said Declaration transplantable, and to proceed to their trial, condemnation and execution, according to the laws of war in case of spies ; and all officers, military and civil, in the said precinct, and all other persons are hereby required to be aiding and assisting in the due execution of this Commission as they will answer the contrary." 19 March. Commissions A/26. 24. ff. 75-7.

Note.—The like commission of the same date was sent to all other the respective precincts, empowering the Commander-in-Chief of each precinct and the Justices of the Peace or any seven or more of them to act according to the trust therein committed.

627. PRIVATE INSTRUCTIONS ACCOMPANYING THE ABOVE COMMISSION.

“ . . . The Lord Deputy and Council have thought fit notwithstanding hereby to authorise the said Commissioners to mitigate their sentence either to banishment out of the nation, or transportation to the English plantations in America ; and the said Commissioners are further authorised, in such cases where they shall judge favour may be shown to any, to release them upon security for their speedy going into the Province of Connaught or County of Clare, there to abide, and to grant them passes for their travel thither. But in all cases where the Commissioners shall judge any person worthy of death, and shall pronounce sentences accordingly, they are hereby required to suspend execution until the case of such condemned person be truly stated and transmitted to the Lord

Deputy and Council for further orders to be given thereupon." 19 March. *Ib.* f. 78.

628. Commission to Dr Philip Carteret, appointed Judge-Advocate in behalf of the Commonwealth, to attend the Commissioners appointed to hear and determine the several offences of persons transplantable into Connaught and Clare. 19 March. *Ib.* f. 79.

629. " Ordered that James Mortimer Esq., Serjeant-at-Arms do forthwith give notice to the chief officers of the army now in town, and also to the public agent for the Adventurers that it is the Lord Deputy and Council's expectation that, by Saturday next, being the 24th inst., the said officers, in the army's behalf, and the said agent, in the Adventurers' behalf, do make their claims appear before the Commissioners for adjudication of Claims, unto such woods and timber as are growing upon the lands allotted to them respectively." 19 March. Orders A/5. 5. f. 99.

630. " Whereas it is informed that several Popish schoolmasters do reside in several parts of the counties of Meath and Louth, and teach the Irish youths, training them up in superstitious idolatry and the evil customs of this nation, these are to require the Commander-in-Chief of those counties and all officers of the army and Justices of the Peace, and every of them, upon complaint thereof made, to take order for the speedy suppression of such schoolmasters, and thereof to make return to this Board in case of obstruction, that further order may be given for their due punishment as shall be thought fit." 19 March. *Ib.* f. 99.

631. Ordered that no houses or lands in or near garrisons be let or leases renewed to Irish Papists. 23 March. *Ib.* f. 103.

632. " The Lord Deputy and Council being desirous to give all due encouragement for the advancement of learning and to promote godliness, and, on the contrary, to discountenance vice and what hath a tendency to looseness and profaneness,

it is therefore thought fit and ordered that Dr Winter, Master of Trinity College, Dublin, do call the respective Fellows, students and other members of the College together [and] exhort them to a careful walking, becoming the Gospel, and to build up one another in the knowledge and fear of the Lord and diligently to attend public prayer, preaching the word, expositions and other religious duties, and also, by encouraging and countenancing private Christian meetings together in the College or elsewhere, for the edifying and encouraging one another in conference, and repeating what they have heard preached concerning the ways of the Lord, and by seeking God by prayer, instructing and admonishing one another, to edify each other that they may increase in the saving knowledge of Christ. And the Lord Deputy and Council do further order that, when it shall at any time hereafter appear unto the said Master that any members of the said College be scandalous in their lives or walk, disorderly, by being either swearer, gamester, haunting of taverns and alehouses, Sabbath-breaker, obscene in conversation, or scoffer at the profession of godliness, or any other way profane, the said Master and Fellows, or any two of them do cause the said person or persons, so offending, to be publicly convened before them, and upon proof thereof before the said Master and any two or more of the Fellows of that College, to expel such corrupt persons out of their society and service, and to inflict such punishment upon such offender as is and shall be agreeable to law, and the laws and statutes of the said College." 23 March. *Ib.* f. 105.

633. Complaints having been made as to the incorporation by the Adventurers of woods to the detriment of the Commonwealth, it is ordered that Mr Richard Wright and Mr John Bryant be appointed woodreeves of all the woods belonging to the Commonwealth in the King's and Queen's Counties and the Precinct of Athy; to sell such timber as directed by the Lord Deputy and Council from time to time, and also to preserve the same woods from waste. 25 March. Commissions etc. A/26. 24. f. 94.

634. Upon consideration had of the question this day sent unto the Lord Deputy and Council from the officers and others at a Court-martial, held in Patrick's Church, Dublin, whether

such transplantable persons, who upon 1st March inst. were apprehended for not transplanting before the said 1st March, be comprehended as liable to the penalties expressed in the Declaration of 30th November 1654, the said Lord Deputy and Council declare that such of the Irish as were apprehended before 2nd March inst. are not to be comprehended within the force thereof and consequently not liable to the penalties therein expressed ; but the said Court-martial are, in such cases, to license such Irish to transplant into Connaught and Clare, upon good security first given for their remove in such time as the said Court shall think fit to give. But where any such Irish shall appear to be dangerous persons they are not to be discharged, but the said Court are to certify the ground of such suspicion. 26 March. Orders A/5. 5. f. 104.

635. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS OF THE TREASURY IN ENGLAND AT THE EXCHEQUER CHAMBERS OR ELSEWHERE IN ENGLAND.

“ We were in expectation before this time to have received a certain supply for the forces in this nation, and that the danger and misery attending them for want thereof would have been removed. But, contrary to their (*sic*) expectations we hear of no certain supply yet appointed or care taken for their relief. We therefore hold ourselves bound in duty to signify to you, that if some timely and effectual care be not taken of the forces here, that very great necessities will attend them, the greatest part of the army in Ireland quartering in remote waste and burnt places, and having nothing for their subsistence but what either the State provides for them, or they at very dear rates provide for themselves with ready money, there being no Irish inhabitants suffered to live near any of their quarters in order to the preventing the supply of the enemy and giving them intelligence. . . . It is not with the forces here as with the forces in Scotland or in England, where there are people to quarter upon. . . . We desire you likewise to take notice that there is a very great necessity lying upon us for repairing of garrisons in this nation at this season of the year, in the erecting and repairs whereof the Commonwealth have not been at much charge hitherto, especially considering the great number we are necessitated

to keep. We are likewise forced, in order to the satisfying the arrears of the army, to put the present survey of land into a way of despatch, which cannot be effected without the advance of a considerable sum of money, as likewise the erecting of courts for adjudging the qualifications of the Irish, which work is of absolute necessity and not to be dispensed withal in order to the security of this nation. We therefore desire your Lordships would not fail us of the supplies formerly desired of £32,000 *per mensem* from the time that we are in arrears by Mr Standish's account afore mentioned. . . ." 29 March. Letters of the Lord Deputy and Council A/30. 28. ff. 48-9.

636. Whereas by the Act for the speedy and effectual satisfaction of the Adventurers for lands in Ireland it is (*inter alia*) ordered that the arrears, not exceeding £150, due to maimed soldiers, aged and helpless widows and orphans, in right of any soldier or officer, slain or dead in the service of Ireland, be set forth and satisfied in the baronies of Imokilly and Balrothery in the respective counties of Cork and Dublin at the same rate and condition with the Adventurers or officers and soldiers, it is referred to the Commissioners for stating the accounts of the army, to consider thereof and to report their opinion, (1) whether the force of the said Act strictly intends the satisfaction of such widows as are executrices or administratrixes to their husbands, or in a larger signification, as claiming their arrears from others; (2) whether the subsequent marriage of widows excludes them from satisfaction in those two baronies; (3) whether by the said Act there be a limitation of time for widows to receive lands in those two baronies, as including those who were such widows at the passing the Act determining the arrears, or otherwise. 30 March. Orders A/5. 5. f. 108.

637. Ordered that a Committee be appointed for the regulation of schools in Dublin. 30 March. *Ib.* f. 109.

638. Whereas by an Order of 5th May last it was thought fit that the baronies of Athlone and Ballintober in Connaught and Tulla and Bunratty in Clare should be reserved for widows of English extraction, order is hereby given to the Commissioners

of Loughrea to set apart the same for that purpose. 31 March. *Ib.* f. 111.

639. Ordered that Irish and other Popish persons that have lately built cabins and creaghts near Athlone be removed. 31 March. *Ib.* f. 120.

640. Ordered that the Commissioners-General of Revenue do issue orders for the letting of such lands, tithes, impropriations, as were formerly let by lease unto Irish Papists by Protestant proprietors wherever it shall be advantageous to the Commonwealth. 1 April. *Ib.* f. 111.

641. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS AT LOUGHREA.

“By your letters of 29th March last we perceive that divers Irish, who, in conformity to the Declaration, have transplanted themselves into Connaught, have nevertheless returned back without warrant, and that divers of those have not taken out certificates of their stocks either from the late Commissioners of Revenue or of Assessments as was ordered, so as you have no rule to set them out lands otherwise than as tenants to the State. For remedy whereof we have ordered the Commanders-in-Chief with others in the respective precincts to proceed with such according to their demerits; and you shall do well to signify unto them the names and places of abode of such as have returned, of such also as have received from you certificates of their removals, that they may take a due account and proceed with such according to Instructions. And for the avoiding such disorder for the future we have empowered Sir Charles Coote, Kt., Col. Stubbers, Lieut.-Col. Brayfield and the Governor of Limerick *pro temp.*, or any one of them to license such Irish as (upon request made), there shall appear a real necessity of their¹ pass out of Connaught and return at the time limited, without which pass no Irish till further order are to come over the Shannon upon any pretence whatsoever. And being desirous that such as have or shall transplant should receive all due encouragement, it is expected by us that you do carefully attend that business

¹ Some words seem to be omitted here in the original, but the sense is clear.

and that no just occasion be given the Irish to complain of delay, or of not having lands set out unto them according to their adjudged qualifications, and that lands *de bene esse* be set out to them in the meantime, and also unto such Irish as have no stock but are nevertheless willing to plant, and by tenancy to improve their honest labours for public good and example of others. Your diligence and prudence for this and what else may promote the public service according to your Instructions will be taken notice of by yours etc." 3 April. Letters of the Lord Deputy and Council A/30. 28. ff. 50-1.

642. SAME TO THE JUSTICES OF ASSIZE OF THE SEVERAL COUNTIES.

"Albeit there hath been a continued endeavour in the authority of this nation (especially since the change of government) to suppress the crying and detestable sins of swearing, drunkenness, profanation of the Lord's Day and other vices, which hath and doth yet abound in this nation; nevertheless we are sensible that notwithstanding this care, the generality of the people do continue their wonted lewd customs and practices to the dishonour of God and scandal of government, we have therefore thought fit to represent the same unto your consideration that, both in your charge at the assizes as in your further proceeding at the quarter-sessions and at other public meetings for the service of the county, you do give public notice of our witnessing against those abominations; and to that end the Justices of Peace in the respective counties of Ireland be enjoined to put the laws of England and those in Ireland in execution against swearing, drunkenness, profanation of the Lord's Day, idlers, rogues and vagabonds, and likewise to make provision for poor impotent people and for the binding of children, of such whose parents are not able to maintain them, with able and fitting masters according to law. And you are to signify to the Justices of the Peace our desire (as the Lord shall give them opportunity) they would testify their detestation of the above mentioned provocations, and use all good ways and means how the power of godliness and true religion may be countenanced and promoted, and the public peace of the country preserved. And we further observing that the Irish in most places of this nation do as yet

practise that barbarous and immodest custom of coshering together, consuming one another by debauchery, and also by their promiscuous lodging and lying together in one room, contrary to the manners of all civilised nations, and thereby very much fomenting uncleanness, we do likewise recommend to your care how that odious practice may be reformed, and desire you to evidence our public dislike thereof, as being contrary to all religion and good government, and that you do your utmost endeavour in putting such laws in execution as may tend to the reformation of that and other such like abominations and practices. And lastly that ale-houses may be restrained and all that heap of villanies daily practised in these places may be found out and punished, especially that immoderate tippling and drinking on the Lord's Day, a sin much practised in this nation in former times, and will undoubtedly provoke the Lord to further wrath if not reformed and witnessed against. Your diligence herein will be very acceptable to yours etc."

3 April. *Ib.* ff. 51-2.

643. Ordered that a Committee be appointed to consider how orphans may be provided for out of their fathers' arrears.
4 April. Orders A/5. 5. ff. 116-117.

644. Ordered that Lt.-Col. Brayfield, Governor of Athlone, do give passes to transplanted Irish to cross the Shannon, for the purpose of attending the assizes at Athlone, when they require to do so as jurors, or on their private concerns. 5 April.
Ib. f. 118.

645. Being informed that many inferior officers and others do ordinarily grant passes to persons to return out of Connaught and Clare, which tends much to the prejudice of the Commonwealth, it is hereby ordered and declared that, from and after the publication hereof, no pass or ticket be given by any such officer or other, except Sir C. Coote, Col. Stubbers, Lt.-Col. Brayfield and the Governor of Limerick for the time being or any one of them to any persons as are transplantable, to return into any part of the provinces of Leinster, Munster, or Ulster, under penalty of being cashiered the army and of being liable to suffer

such other punishment as a Court-martial shall judge fit to inflict. 5 April. Commissions etc. A/26. 24. f. 86.

646. Ordered that a Committee be appointed to consider and report whether tithes and other Church revenues ought to be taxed according to the Act for the further encouragement of Adventurers etc. p. 416, whereby it is ordained that all estates real and personal in Ireland, in all the counties, towns and places thereof should be taxed. 9 April. Orders A/5. 5. f. 120.

647. Ordered "that it be referred to the Commissioners-General of the Revenue forthwith to take care that the real estates, in the respective precincts in Ireland, of all such Irish and Papists, that have not manifested their constant good affection before the Court for the adjudication of titles and qualifications, be let and set to the best advantage of the Commonwealth according to their Instructions." 9 April. *Ib.* f. 122.

648. Ordered that the Commissioners-General of Revenue do "take care that for the future all such widows, or other aged and impotent persons in the several precincts in Ireland, dispensed with from transplantation, do enjoy out of their respective estates not exceeding one-third part of the profits thereof, towards their maintenance, and that, in the meantime, they do prosecute the adjudication of their claims before the Court for Qualifications, to the end they may receive their due proportions of estates in Connaught. . . ." 9 April. *Ib.* f. 122.

649. "Whereas many transplanted persons, that are removed into the Province of Connaught or County of Clare, have, for their present accommodation, taken lands from the Commissioners at Loughrea (*de bene esse*), for which they are to pay some reasonable rent to the Commonwealth, it is ordered that all such transplanted persons, that have taken lands as aforesaid for the provision of their respective stocks, be and they are hereby freed and exempted from paying any rent for the same, but their proportion in contribution equal with others of the country, until their respective qualifications be adjudged by the Court erected

for that purpose; provided that such transplanted persons have their claims and qualifications adjudged within the space of three months from the date hereof." 9 April. *Ib.* f. 129.

650. Ordered that the estates of English Papists and Delinquents, not comprehended in the Dublin Articles, be let for the advantage of the Commonwealth. 10 April. *Ib.* ff. 124-5.

651. "Upon consideration had of the petition and proposals of Mr Edmund Leech¹ and others for the plantation of the town of Sligo and some lands thereabouts with families out of New England, it is ordered that the Commissioners-General of the Revenue do let unto the said E. Leech the lands about Sligo commonly called the statute mile and the two little islands, viz. Oyster Island and Cony Island (containing by estimation 2000 acres or thereabouts) for the use and behoof and interest of such English families, as shall come from New England in America, in order to the said plantation, for the term of one year from May next, upon such terms and conditions as they shall conceive reasonable for due encouragement to such planters." 10 April. *Ib.* f. 125.

652. "Ordered that Sir H. Waller, Cols. Hewson, Lawrence and Sankey, and Majors Morgan and Jones be desired to attend the Lord Deputy and Council at Cork House at 3 o'clock in the afternoon on Monday next, to consider of the Declaration² of the late Commissioners of the Commonwealth, bearing date the 17th July last past, and to debate the business of the transplantation of the Irish now inhabiting within the line in the five counties of Dublin, Wicklow, Wexford, Carlow and Kildare, in pursuance of the said Declaration, as also to consider what line will be convenient to be made, to the end that such further order may be given therein as shall be thought fit." 11 April. *Ib.* f. 133.

¹ I fancy this Edmund Leech was the founder of the family of Leech of Cloonconra, co. Sligo, which is said by Burke to begin about this time, but the origin of which is obscure.

² Wanting.

653. LORD DEPUTY AND COUNCIL TO COLONEL MOUNTAIGUE AND COLONEL SYDENHAM.¹

“ An unexpected necessity forces us to put this trouble upon you. The whole affairs of this nation, depending upon the Treasury, being wholly at a stand for want of monies, there being not £5 that we know of in the Treasury, nor hath been for nine days last past, neither can we in this place by any credit or endeavour take up money upon never so urgent and necessary occasions, merchants here being generally so poor and standing in need of their own stocks for carrying on of their own trade, which is likely to contract and will inevitably bring upon this nation much mischief and inconvenience if not by your care timely prevented, and will obstruct the settlement intended, by removing the Irish proprietors and men in arms into Connaught, (which may occasion an uncertainty in the contribution this country affords), and erecting of garrisons intended on the Shannon for the security of this country with several other necessary works not to be omitted, which now all fall for want of money. If some speedy course be not taken the whole work of reducing this nation and endeavouring the settling the same in peace will revert to its former unsafe condition. The necessities of the soldiers pinching them makes them cry out for supplies, which is not in our power to give. We therefore desire you in your love to public good and commiseration to this poor country to haste monies to us, otherwise you will easily judge what will unavoidably follow; and for the carrying on of the present concerns of this nation, which will not admit of any delay. We desire your Honours to give order that £20,000 at least be paid out of the Exchequer into the hands of the Treasurers-at-War, upon the account of Ireland, out of the monies formerly appointed for Ireland payable from Goldsmiths' Hall, to the end the Treasurers may transport the same or be remitted by Bills as the Treasurers shall advise your deputies, which may be some present help towards answering our extraordinary charge, over and above the pay of the forces mentioned in our last letter. . . .” 11 April. Letters of the Lord Deputy and Council A/30. 28. f. 56.

¹ Edward Montagu, afterwards Earl of Sandwich, and William Sydenham were Commissioners of the Treasury. See Lives in *Dict. Natl. Biog.*

654. T. HERBERT TO JOHN THURLOE.

“ I am commanded by the Lord Deputy and Council to acquaint you that Colonel William Eyre, who hath been now full eleven weeks a prisoner in the custody of the Serjeant-at-Arms is (through his impatience of that restraint) grown very much distempered both in body and mind, and doth earnestly importune their Lordships that he may be either brought to a trial for what shall be laid to his charge, or else permitted (upon sufficient bail) to follow Col. Venables in his voyage ; but they, not willing to determine anything concerning him until directions from his Highness be given therein, their Lordships do desire you would move his Highness and Council in this matter, and procure that the pleasure of his Highness may be signified as to what further proceedings shall be thought fit to be had against him, either as to a trial here, or for permitting him to pass to Colonel Venables, as is desired. There is now also in restraint (and upon the same account) one Col. Treswell, concerning whom it is likewise desired that his Highness’ commands might be received, the gentleman being as desirous as the other to come to a speedy trial and determination in the matter he stands charged with. For resolutions in both which cases his Lordship and the Council here request your care and effectual remembrance, and, when obtained, that speedy intimation may thereof be given.” 11 April. *Ib.* f. 53.

655. SAME TO JOHN COOK, CHIEF JUSTICE OF MUNSTER.

Acquaint him that information has reached the Council that the Sheriff of Limerick and his officers are guilty of oppressing people by refusing to return a charge unless the expenses of the Court are paid beforehand ; the officers, attorneys, bailiffs and jurors are all Irishmen and one Edmund Lacy, lately in arms against the Commonwealth is at the moment Clerk of the Court. The Chief Justice is required to see that these abuses are reformed. 12 April. *Ib.* f. 55.

656. “ Ordered that the Commissioners-General of Revenue do write unto the Commissioners at Loughrea that they take care to set out unto the submittees on Kilkenny Articles (expressed in the third Qualification of the Act for the Settlement of Ire-

land) their respective proportions of land, as by an Order of the Lord Deputy and Council of the 3rd inst. is directed ; and the said Commissioners-General are also to consider of the returns made from the country concerning the respective estates of the submittees excepted as aforesaid, and where they shall be found deficient or untrue, to take care that more perfect and certain returns be forthwith made, and also to take order that by 1st June next ensuing, the said submittees may receive their due proportion of such arrears of rent from the Treasurer at Athlone, as shall appear due unto them by the said returns and according to former Orders in the case since 27th July 1653." 12 April. Orders A/5. 5. f. 127.

657. Ordered that the superstitious observance of Easter holidays be prohibited. 13 April. *Ib.* f. 131.

658. LORD DEPUTY AND COUNCIL TO COMMISSARY-GENERAL REYNOLDS, WILLIAM ROWE AND RICHARD KINGDON.

" . . . We have considered of the proposition from the officers of the mint at the Tower of London, concerning the coining £3000 in small money for the present use of this nation, and do not think fit to be at any charge therein. Nor need we to return you answer to the other branches of your letter concerning rates to be imposed upon lands for satisfying of mortgages or in relation to compositions for encumbrances upon estates, for that we understand the business is upon consideration by his Highness and Council and expect rules from thence ; only desire they may be hastened. The time allowed for composition is the last of June, and therefore, unless instructions come seasonably down, the Commonwealth will receive prejudice in that business. And we desire that you would represent unto his Highness and Council that we desire that the Commissioners-General of the Revenue and Stores in Ireland may be by his Highness and Council nominated and appointed the persons with whom the Protestant delinquents of Munster shall compound for their real and personal estates, pursuant to the Ordinance of his Highness and Council dated 1st August 1654. . . ." 18 April. Letters of Lord Deputy and Council A/30. 28. ff. 58-9.

659. Ordered that Chief Justice Pepys and other judges do “peruse and consider of the Ordinance for indemnity to the English Protestants in Munster, and report their opinion, whether, by the force thereof, they conceive the widows of such as were active at the rendition of Cork or other the garrisons in Munster mentioned in the said Ordinance, ought to have their husbands’ arrears stated as well as such as are alive and lately returned by two credible testimonies, deposed before the Commissioners appointed by the Lord Deputy and Council to examine the demeanour of the said officers and soldiers, to have continued faithful to the Commonwealth, according to the tenor of the said Ordinance.” 20 April. Orders A/5. 5. f. 134.

660. “Oliver P. Whereas by an Ordinance of us and our Council entituled ‘An Ordinance for indemnity to the English Protestants of the Province of Munster in Ireland,’¹ it is, among other things, provided and ordained that all and every person and persons who submitted to the authority and protection of the Commonwealth of England before 1st December 1649, but were not instrumental in the rendition of the garrisons aforesaid, and have estates (above all reprises) in lands to the clear yearly value of £400 and upwards, according to the value of the said lands in the year 1638, or in goods and chattels at this present to the value of £8000 and upwards, shall be liable to satisfy and pay such fine or fines as shall (by persons thereto authorised) be imposed on them within twelve months after 27th June 1654; and it is likewise further provided and ordained that all and every the person and persons who continued in arms against the forces of the Commonwealth of England or remained in obedience to the enemy after 1st December 1649, having estates in lands to the clear yearly value (above all reprises) of £50 or upwards, according to the value the said lands were worth in 1638, or at present in goods and chattels to the value of £500 or upwards, should be and were thereby liable to satisfy and pay such fine or fines as should, by persons thereunto authorised, be set and imposed on them respectively within twelve months after the said 27th June aforesaid; and whereas no persons have been hitherto authorised to

¹ Passed 27 June 1654. See Firth & Rait, *Acts and Ordinances*, ii, pp. 933-937.

impose or set the said fines in pursuance of the aforesaid Ordinance, you are hereby empowered, with the advice of the Council there or any two or more of them, to impose and set on such of the English Protestants of or in the said Province of Munster, as by the said Ordinance are liable thereto such fine or fines ¹ as . . . you shall in your judgments find equal and agreeable to the true intent and meaning of the said Ordinance. . . ." 20 April. Commissions and Instructions A/27. 25. ff. 55-6.

661. THE PRESIDENT OF THE COUNCIL TO THE LORD DEPUTY AND COUNCIL.

"His Highness, the Lord Protector and the Council have, upon consideration, thought fit that Lt.-General Ludlow ² forbear his coming over for England till they shall give further order, which they have commanded me to signify to you and desire your care that he be not permitted to come from Ireland to England till his Highness and the Council shall give other order accordingly." 24 April. Letters of the Lord Protector and Council A/28. 26. f. 54.

662. T. HERBERT TO THE COMMANDERS-IN-CHIEF OF THE SEVERAL PRECINCTS.

"I have, by order of the Lord Deputy and Council, sent you here enclosed a printed Declaration touching Tories, murders, thefts etc., which you are forthwith to disperse into all baronies, and to affix in all market-places within your precincts to the end that all persons concerned may take notice thereof." 25 April. Letters of Lord Deputy and Council A/30. 28. f. 61.

663. Ordered that Thursday, 3rd May, be observed as a fast on account of the sore visitation of the pestilence in the city. 28 April. Orders A/5. 5. f. 142.

664. Ordered that no toll or other custom be exacted from persons transplanting into Connaught and Clare. 28 April. *Ib.* f. 146.

¹ See Orders of Council of State to this effect, 5 and 18 April, *Cal. State Papers, Irel.*, 1647-60, pp. 809, 810.

² Cf. Fleetwood to Thurloe, 25 April and 4 May, Thurloe, *State Papers*, iii, pp. 407, 421.

665. Ordered that it be referred to the judges whether they conceive that by force of the Ordinance of 23rd June 1654, for the further encouragement of the Adventurers, such claims as were received by the Register of the Court of Claims, and not determined before the 23rd October 1654 (being the time limited in the said Ordinance for the adjudication of Claims) may be proceeded upon by the said Court of Claims, notwithstanding the effluxed time. 30 April. *Ib.* f. 141.

666. LORD DEPUTY AND COUNCIL TO COMMISSARY-GENERAL REYNOLDS, MR ROWE AND CAPTAIN KINGDON.

“ . . . We are informed that divers persons are soliciting his Highness for patents under the Great Seal in confirmation of the respective grants of lands in Ireland, given them by Act and Ordinance of Parliament, by Ordinance of the Lord Protector and Council, which we desire may be respited until a true understanding can be had of the value and quantity of those lands, most of which has been picked and chosen, and possession given *de bene esse* upon an estimate ; and having resurveyed some men's proportions find them well nigh double in value to what they should be, which, should they pass the Seal, would be taken *pro confesso* and be consequently no small loss unto the public. We are preparing re-surveys that the truth herein may be evinced for the mutual satisfaction and security of the State and such as are concerned. . . .” Dublin, 2 May. Letters of Lord Deputy and Council A/30. 28. f. 62.

667. Ordered that the city of Dublin be cleared of Papists and superfluous Irish, cabins and other noisome places be demolished and the line of communication repaired. 7 May. Orders A/5. 5. f. 147.

668. T. HERBERT TO MR JUSTICE CARWARDINE.

“ The Council is informed that one Thomas Greene was murdered in the County of Fermanagh at the beginning of the Rebellion, for which murder Briartagh *alias* Murtoogh O'Higgin and Donough Roe O'Higgin, his son, stand accused and now are sent to be tried for the same at the assizes at Enniskillen. This murder, as is informed, was endeavoured to be com-

pounded for and concealed. The whole evidence concerning the matter you will herewith receive together with the recognisance of William Greene, son to the said Thomas Greene for prosecution, who, as you will find by judgment upon the said recognisance, hath had timely notice to prosecute. Accordingly your care herein is desired and not doubted of." 9 May. Letters of Lord Deputy and Council A/30. 28. f. 64.

669. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

"We have received your letter of 14 November last, recommending Colonel Robert Phaire,¹ Major Peter Wallis and Captain Joseph Deane their suffering condition in sending away of Irish soldiers upon capitulations to Spain, the King of Spain not performing his agreement with those gentlemen. . . . In pursuance whereof we have caused the accounts of the said gentlemen to be examined on oath, by able and honest persons ; by which it appears that, over and above all monies received by your Highness' special directions to the Committee for the army, or otherwise, they have expended the sum of £2933. 4. 1 ; towards the satisfaction whereof we have directed several honest and able gentlemen to return a survey upon oath of certain lands in the baronies of Muskerry and Barretts in the County of Cork, and have also directed and ordered the Commissioners, appointed for managing your public Revenue in Ireland, to contract with the said gentlemen after the rate of six years' purchase (as those lands were worth in the year 1640, being the time of their highest improvement) for so much of the said lands to be sur-

¹ Col. Robert Faire or Phaire, the son of Emmanuel Faire, rector of Kilshannig, co. Cork, served in Ireland before 1649, but declining to follow Inchiquin in his revolt from Parliament he was sent to England and was one of "the wicked guard of halberdiers" at the execution of Charles I. He returned to Ireland with Cromwell in command of a Kentish regiment, and being sent by him to Cork, was instrumental in effecting the defection of that city, of which he was appointed governor. He was a strong republican, and suspected to be a Quaker. Being opposed to the Restoration he was arrested by Broghill and sent to London, where he underwent a short imprisonment. On his liberation he returned to Ireland, but he was again arrested by Broghill, in 1663, on suspicion of being implicated in the plot for seizing Dublin Castle ; but he seems to have had little difficulty in proving his innocence, and from that time till his death in 1682 he was allowed to live unmolested on his estate at Rostellan, near Cork. The lands he acquired in co. Wexford in settlement of his arrears he had prudently disposed of before the Restoration. See Life in *Dict. Natl. Biog.*

veyed on oath, as would satisfy the said £2933. 4. 1.¹ . . .”
 Undated, but apparently some time in May. *Ib.* ff. 66-7.

670. “Ordered that it be referred to the Commissioners-General of the Revenue to peruse the Ordinance for indemnity to the British Protestants of Munster and the Declaration of this Board of 1st January last, and to prepare a Declaration, naming some of those eminent persons liable to composition, and enjoining them and all others of that condition to present particulars of their estates to the said Commissioners-General, to the end they may be required to perfect their compositions by 27th June next, and to pay in one moiety of their fines by 1st August next and the other moiety by 1st February ensuing, the said fines not to be under two years and a half full value of their real estates, as worth in the year 1638, and one-eighth part of their personal estates, and such persons as shall not present their particulars and effectually prosecute and perfect their compositions by the said 27th June are to lose and forfeit the benefit of the composition by that Ordinance held forth to them.” 10 May. Orders A/5. 5. f. 152.

671. “Whereas by one Act of Parliament, made the 26th September, 1653, and entituled ‘An Act for the speedy and effectual satisfaction of the Adventurers for lands in Ireland and of the arrears due to the soldiery there’ etc. it was, amongst other things, ordained that the forfeited lands in the Barony of Ardee in the County of Louth and Province of Leinster, and the baronies of Magherastephana and Clanawley in the County of Fermanagh, in the Province of Ulster, certain lands near Sligo in the Province of Connaught and the baronies of Fermoy, Duhallow, Condons, Orrery, Kilmore, Kinalea, Kerrycurrihy and East and West Carbery in the Province of Munster should be set out and assigned to the forces that had been or were then to be disbanded in the said respective provinces; and whereas, upon the return of the estimate of the said lands and of the debt of the said disbanded officers and soldiers, it did appear that the aforementioned baronies appointed by the said Act

¹ See also a letter from Fleetwood to Thurloe, 1 Aug. 1655, on this subject. Thurloe, *State Papers*, iii, p. 690.

to be set out in Leinster and Ulster were not sufficient to satisfy the said forces, whose lots fell to be satisfied in the said provinces respectively, and that thereupon there was added to the aforesaid Barony of Ardee the baronies of Shillelogher, Kells, Knocktopher, Iverk and Ida in the County of Kilkenny, the baronies likewise of Rathcline and Shrute in the County of Longford, all of them in the Province of Leinster, and that there was also added to the aforesaid baronies of Magherastephana and Clanawley the baronies of Magheraboy and Knockninny in the said County of Fermanagh, the baronies of Dartree, Trough, Cremorne, and Monaghan in the County of Monaghan, the baronies of Tullyhaw, Tullyhunco, Loughtee, Castlerahan, Tullygarvey, Clankee and Clanmahon in the County of Cavan, all in the Province of Ulster, to make up the satisfaction to the forces who were to be set down in the said respective provinces; and whereas the forces setting down in Munster were satisfied with the baronies of Fermoy, Duhallow, Condons, Orrery and Kilmore, the rest of the baronies mentioned in the said Act viz. Kinalea, Kerrycurrihy, East and West Carbery being not set out to them; and whereas it hath been desired by the officers of the standing army, inasmuch as certain regiments appointed at first to set down in the said baronies of Kinalea, Kerrycurrihy and East and West Carbery, were nevertheless upon weighty grounds removed from their said lots and ordered to receive their satisfaction in Leinster, whereby the additional security of the army in the said province and particularly in the County of Kilkenny was much diminished, that therefore the said baronies of Kinalea, Kerrycurrihy, and East and West Carbery, remaining as yet undisposed of to the said disbanded soldiery, might be assigned to them towards the satisfaction of their arrears, the Lord Deputy and Council taking the same into consideration, and that, according to the exactest compute of the debt and credit of the army, which hath been returned, there will be a great deficiency of land to answer the arrears of the soldiery according to the rates of the Act, do therefore order and declare, and it is hereby ordered and declared that the said baronies of Kinalea, Kerrycurrihy and East and West Carbery be made liable to the satisfying of the arrears of the said army, equal to any other part of the said collateral security. 10 May.

Ib. f. 154.

672. Ordered that Lucan market-day be not held as formerly on the Lord's Day. 12 May. *Ib.* f. 156.

673. "Whereas divers persons repair weekly hither out of England and Wales to plant here, or otherwise to dispose of themselves as may best suit with their desires and expectations, but by long attendance at the waterside for a wind and conveniency of shipping, are reduced to such indigency that, through that and other expenses here, they are discouraged, and many of them return back to their own discontent and others' discouragement, for remedy whereof, it is ordered that the Mayor of Dublin, Col. Lawrence and Alderman Hutchinson, or any two of them do consider thereof and prepare a draught of some rules and method how such English, as ordinarily arrive here out of England and Wales (not being in any present way of disposing themselves) may be provided for and disposed of as tenants, servants or otherwise, as shall be judged most for their comfort and for public good. . . ." 15 May. *Ib.* f. 157.

674. LORD DEPUTY AND COUNCIL TO THE COMMITTEE OF ADVENTURERS AT GROCERS' HALL.

Gentlemen, Some misunderstandings have arisen which it is necessary to remove. Your main grievance is, "that contrary to Instructions (as is alleged) the returns of the abstracts of the gross surveys of the baronies, which should have distinguished forfeited lands from unforfeited, and profitable from unprofitable, were sent over very uncertain." We answer "that the late Commissioners about 8th July 1653 received a Commission and Instructions under the Great Seal of England, wherein (amongst other things) it was directed that, to the intent the Adventurers, officers and soldiers might be satisfied, and Ireland planted with as much expedition as might be, they should consider of a gross survey to be taken of the honours, baronies, manors, lands etc. that were forfeited within the ten counties . . . and to transmit the said abstract . . . to a committee appointed to sit at Grocers' Hall. In pursuance of which said orders the said Commissioners did about the 11th of the said month direct their letters to the several Commissioners of the precincts . . . to return such an estimate

. . . within fourteen days. After some weeks . . . a return being made only of some few counties, and those very confused and imperfect, and the Commissioners of the Commonwealth being in the meantime frequently solicited, by letters out of England (from the officers of the army and others), for the sending them such an estimate of the said counties as might enable them at least to proceed to a general lot for the baronies, they gave directions to certain persons, nominated by them, out of such surveys as were formerly taken in Lord Strafford's time, and such other papers, returns or county books as were before them, to draw an abstract in general of the contents of the land in each barony and to return it immediately to them, to the end the circuit or largeness of one barony from another in general might be distinguished by them ; which gross estimate so drawn was transmitted, with the express caution or note following, intimating the imperfection of it, viz., 'Memorandum, That these surveys were taken upon oath and estimated by the acre at the rate of 21 foot to the perch, and that there is no distinction of profitable or unprofitable land, nor any mention made of proprietors, or of what lands are forfeited and what not, but is a gross survey of the whole contents of the ten counties.' So that if the Adventurers were straitened, we conceive the said Commissioners notwithstanding were, in what they did, sufficiently discharged ; which will also more evidently appear if it be considered : First, that a deficiency of land in the said ten counties, to answer the debt of the Adventurers and soldiers charged upon them, was not so much as suspected by any at that time, nor discovered in many months after. Secondly, that the said Commissioners conceived, and were certainly informed, that the Adventurers by mutual agreement with the State and the soldiers had concluded themselves within the aforesaid security, and therefore were¹ not to expect more than their moiety of the ten counties and the County of Louth. Thirdly, that therefore the estimates sent by them could not, as to the division of their moiety, be of more disadvantage to the Adventurers than to the soldiers, whose interest at that time seemed not to be different from theirs, and consequently no prejudice was intended them. But lastly and mainly, the several qualifications of the Irish, according to the Act for Settlement, was a

¹ "We are," in original.

matter so doubtful, and together with the claims upon all those counties, a thing so impossible to determine, that a judgment of neither of these (as affairs then stood) could in so great a shortness of time, by any rule, be rationally given. . . .”

Your second complaint is that custodiams, leases and other grants of the best lands in the allotments have been granted contrary to the Acts and Ordinances of Parliament. We answer that the late Commissioners of the Commonwealth were empowered to set and let, without any distinction, all such lands etc. in Ireland as were in the disposal of the Commonwealth, for such term or terms of years as they should think fit, not exceeding seven; and did it at a time when the Adventurers had no propriety or claim to any one part of the forfeited lands more than another, it being near a year before the Act for Satisfaction was published. “Further, we do believe that, as the affairs of this country then stood, the Commissioners were in some measure constrained to take the aforesaid course, as without which it seemed not possible the country itself should have been long able to have subsisted; for such was the extreme dearth and scarcity both of corn and all other provisions at that time (and the year immediately before) that bread was in some places sold for fourpence per pound, and multitudes in all parts through extremity died, and others were necessitated to sustain themselves by the carcasses of dead beasts and of those very bodies of men, who had a little before perished for famine; the cries and complaints of which from all parts coming to the said Commissioners, and apprehensions that the consequences of it were like to be worse and worse, they, in the midst of these difficulties receiving nothing that might cause them to expect a sudden settlement of the affairs of this nation from Parliament, nor discovering any other way either to prevent their growing or answer their then urgent and pressing necessities, or to uphold the charge and pay of the army did . . . judge it needful, by all fit ways and means, to apply themselves to the planting the waste parts of the country and to the encouragement of tillage and husbandry as to their chiefest and only remedy. . . . Yet all persons taking waste lands were enjoined to till, manure and stock the same, and to sow one third part of the arable land with corn and to keep the same in their own occupation. They were also enjoined more

particularly neither directly nor indirectly to take, employ or draw or cause to be taken, employed or drawn any persons, tenants or stocks to plant the said waste lands from any other land paying contribution, nor to make use of any countryman's plough, or cattle, either for hire or by way of loan, or otherwise do any service, nor to demise, let or assign the said lands or any part of them to be ploughed, sowed, used or manured by any other persons for the halves or any other proportion of the crop, nor for any other rent whatsoever, upon forfeiture of the said leases and on penalty of being liable to pay contribution, equivalent to any laid upon lands of the same goodness within the same precinct. And if any persons, becoming tenants for waste lands, should continue the same or any part thereof waste without tillage or stock, to the end they might engross a quantity of land in their hands, so as the interests of the Commonwealth were not improved thereby, such persons were in every such case to be charged with double the rent, that by lease they ought otherwise to have paid for them, as by the said Instructions themselves, herewith sent you, will more fully appear. All which, with many other the like clauses in reference to the tenanting of lands with English and preventing any discouragement to the farmer through any rumour or suggestion of their removal, as they may serve manifestly to clear the grounds and intentions of the said Commissioners, and to certify both the integrity and necessity of their so proceedings, so we conceive it ought to be considered by all good men, as the more remarkable, by how much the more abundance and plenty did (through the blessing of God) follow those their endeavours, which some of us having observed, and seen the experience of the Lord's mercy to this nation in it, cannot slightly pass over, nor altogether condemn that course which was so much the occasion of our preservation.

“ . . . That which you are pleased to intimate about claims, that many of them do remain yet uncleared and undetermined, will (as we conceive) also soon be removed if the Ordinance of his Highness the Lord Protector and his Council, entituled ‘ An Ordinance for further Encouragement of the Adventurers and Soldiers,’¹ be considered ; in which it is expressly directed that every person or the heirs, executors or assigns of such person,

¹ 23 June 1654.

who, upon 23rd October 1641, had any lawful estate, right, title, charge or encumbrance in, to or out of any honours, castles, manors, lands, tenements and hereditaments (of what name or quality soever) in any of the said ten counties or County of Louth shall on or before 23rd October 1654 make the truth and reality of such estate etc. appear. . . . Forasmuch also, as the said Court for adjudication of Claims sat to the utmost time limited by the said Ordinance, and that all persons had knowledge of the penalty of it, if they applied not themselves within the said time, we judge the said claims stand (by the said Ordinance) forfeited, and the persons, who did not prosecute the same timely to be through their own neglect concluded. Nevertheless an application having been made by some persons not then in the country, and some equitable considerations having been offered in some few particular cases, we did effectually represent the same to his Highness the Lord Protector and his Council, before whom the same is now depending."

"Concerning the assessments or taxes of this country . . . if the tax of Ireland shall be made an argument against the coming over of the Adventurers to plant, or that, when the Adventurers do come over, or send their agents hither and find that they cannot let out their lands again to tenants here for any considerable rent, they shall impute this as a discouragement to them and return back and dishearten others, or introduce an evil report of the country, we cannot be of an opinion such persons are acted [actuated] by a public spirit or that they have any such desire (as is pretended) toward the good and settlement of this country."

As to the preservation of timber the Council hath issued out orders to Mr Avery, your agent, to take care of the woods and for the appointment of woodreeves. To that other head complaining of some places within the lot of the Adventurers being lately burnt and put out of protection, it was done in the case of one barony only, on purpose that it might thereby be the better and more securely planted by the English. As for the surveying of lands many have been surveyed privately and we cannot proceed to any definite answer. 21 May. Letters of Lord Deputy and Council A/30. 28. ff. 68-76.

675. Ordered that Benjamin Worsley do send transcripts of

the Down Survey¹ to the Athlone Commissioners and also prepare true copies of the old survey of Connaught and Clare and transmit them to the Commissioners at Loughrea. 22 May. Orders A/5. 5. ff. 175-6.

676. Ordered that, as to the Declaration of 11th May inst. for Munster Protestants to compound for their estates, as by the Ordinance of 1st August 1654 they are required to do, the Commissioners-General of Revenue are, by all good ways and means, to inquire and find out the value of the respective estates so offered to be compounded for. 22 May. *Ib.* f. 168.

677. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

In favour of Sir John Temple² who intends presently to return into Ireland and to settle himself there constantly to attend the execution of his place of Master of the Rolls. "He is a person, who out of his experience of the affairs of that country is very well able to do service there, and may be useful to the public not only in that employment which he hath so long continued in, but in anything else which you shall hold fit to commit unto his charge. . . ." 23 May. Letters of the Lord Protector and Council A/28. 26. f. 60.

678. "Ordered that the several officers commanding the forces in the counties of Wicklow and Wexford do take order that the inhabitants of Carnew, Coolattin and Clohamon, or so many of them as appear liable to relieve the Tories, be forth-

¹ This was Petty's famous survey, hardly at this time begun by him, called the Down Survey because, unlike former surveys, it was not merely a description of lands, but a description laid down in the form of a map. For an account of the undertaking see *The History of the Survey of Ireland, commonly called the Down Survey*, by Dr William Petty, edited by T. A. Larcum for the Irish Archaeological Society, Dublin, 1851. The old survey of Connaught and Clare referred to was that taken by the Earl of Strafford. See above, p. 473, note.

² Sir John Temple, the son of Sir William Temple, provost of Trinity College, Dublin, had been created Master of the Rolls in Ireland on 31 January 1640, in succession to Sir Christopher Wandesford; but having in 1643 been arrested and imprisoned for spreading scandalous reports about Charles I, he had, after being released, gone to England, where he found favour with the party in power and was provided with a seat in the Long Parliament. He employed his leisure time in writing an extremely biased History of the Irish Rebellion, of which in its earliest stage he had been an eyewitness. It is interesting to note that on returning to Ireland, as intimated in the above letter, he was followed thither by his eldest son, William, and his young bride, Dorothy Osborne, of delightful memory, who spent the next five years with him.

with transplanted and the rest brought into some more secure place, and that those places be excluded the line of protection." 23 May. Orders A/5. 5. f. 169.

679. Ordered that the officers of the army, named in the Declaration of 21st May inst. for giving licences, to Irish tenants to Protestants in the five counties,¹ of dispensation from transplantation till 20th October next, do consider of the sad condition of the poor Irish in those counties for want of instruction in the knowledge of Christ and how they may be instructed therein. 23 May. *Ib.* f. 171.

680. " Upon reading the petition of Thomas Walsh of the County of Waterford (that hath some years past renounced Popery and become a Protestant), praying that he might have a proportion of his estate set out unto him in the Barony of Decies in the County of Waterford, to the quantity of one-third part, towards his maintenance, until his title thereunto and his qualification be determined; and upon consideration had thereof, and of the report of Mr Worsley, Surveyor-General (unto whom it was referred) thereupon, it is thought fit and ordered that forasmuch as the petitioner hath been a time since past exempted from being transplanted into the Province of Connaught or County of Clare, having given many clear testimonies of his sincerely embracing and professing the Protestant religion, and of his disliking the contrary principles of Popery, that the said Thomas Walsh do receive that proportion of land that shall fall due unto him according to his qualification, in some secure place in Connaught or Clare and that shall lie adjacent to some of the English garrisons; and forasmuch as the petitioner is earnestly desirous to remain on this side the Shannon in the English quarters, to the end he might the better enjoy the society of good people, it is further ordered that the petitioner be admitted to set or otherwise to dispose of his said estate in Connaught or Clare and to purchase lands or other estate among the English, and to inhabit amongst them, and likewise that he be permitted to become tenant to the State for lands or other things in the dispose of the Commonwealth, if he think

¹ Of Dublin, Wicklow, Wexford, Carlow and Kildare. See Nos. 621 and 652. The Declaration is wanting.

fit, equal with the English, and to enjoy such other immunities and privileges as do other Protestant English in Ireland, so behaving himself as becometh him." 23 May. References of Petitions A/8. 8. f. 7.

681. "Whereas, by several orders lately granted to several persons within the Precinct of Limerick, dispensations have been given to several persons to plant their estates with Irish tenants, provided that such tenants never joined with the rebels during the first year of the Rebellion, nor were officers or soldiers of the Irish party, or otherwise notorious for their acting against the English Interest, and whereas information hath been given that, under colour of the said orders, divers persons, liable to transplantation into Connaught and Clare, have been licensed to stay in the said precinct, contrary to the true intent and meaning of the said orders, tending very much to the prejudice of the Commonwealth and the hindrance of the work of transplantation, so strictly and generally required by Act of Parliament and Declarations pursuant thereunto; upon consideration had thereof, it is hereby declared that no person or persons of the Popish religion, that are transplantable by virtue of former Declarations, *i.e.* no proprietor of any lands, nor such as have been in arms during the Rebellion or acted or aided the same at any time at or before 21st October 1642, were intended to be permitted to be dispensed withal from being transplanted into Connaught and County of Clare by any such orders and dispensations, and therefore, it is hereby further ordered and declared that all such persons transplantable as abovesaid, and are, by colour of such orders and dispensations hitherto granted to stay as tenants to English proprietors in any of the said counties and precincts, do remove themselves and families into the Province of Connaught and County of Clare at or before 20 June inst., notwithstanding any such former orders and dispensations, and all officers of the army and other persons formerly authorised to make search for all persons transplantable as abovesaid, and such as they shall find to refuse or neglect so to do, that they proceed against them according to former orders and directions given unto them concerning persons transplantable as abovesaid, notwithstanding any such orders and dispensations granted unto them as abovesaid; and it is further ordered that the

Governor of Limerick do take special care of putting this order and all former orders concerning any proceedings to be had against such persons as were transplantable into Connaught and Clare and neglected or refused so to do, to be put in due execution, and that they do from time to time, as often as they shall judge fitting, give orders for searches to be made after all such offenders. . . ." Limerick, 7 June. Orders A/5. 5. ff. 173-4.

The like orders of the same date sent to Cork and Kerry.

682. T. HERBERT TO MR JAMES WALLIS¹ AND MR JEREMY O'QUINN IN ULSTER.

"Since our coming into these parts we find the sad condition thereof (amongst other things) in the want of godly and able persons to preach the gospel of Christ, whereby the inhabitants there, especially the Irish, live in miserable ignorance and profaneness. I am commanded by the Council to desire you to make your repair to Dublin, where you shall receive further directions for carrying on of that work, and your stay in Connaught shall not be any longer than may stand with your own accommodations and as you shall judge necessary to carry on that great work and the Lord shall incline your hearts thereby." Galway, 12 June. Letters of Lord Deputy and Council A/30. 28. f. 77.

683. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

"His Highness and the Council, having taken into consideration several proposals which have been made unto them from your Lordships in reference to the affairs of Ireland, have agreed on several additional Instructions herewith sent you; and because in the execution of those Instructions, (which relate to the compounding for mortgages and encumbrances upon any of the forfeited lands, whereby the remainder may be cleared from those engagements, and so may be enjoyed by those to whom they shall be allotted or disposed of free from those charges, as also for taking off encumbrances from the lands of those that shall be transplanted, and defalcation made of the value thereof in the lands to be set out to such persons in Connaught, in all which they doubt not but you will take care the same be done to

¹ The Rev. James Wallis, or Wallace, as his name is written in the Civil List for 1655, was minister of the congregation at Ray or Manor-Cunningham, near Raphoe, co. Donegal.

the best advantage of the Commonwealth) some things may fall out which cannot be foreseen by them and therefore may need some further direction, it is their desire that your Lordships, as there shall be occasion, would represent the same together with your own opinions, who being upon the place may be able to give them the more light into the proper remedies in such cases. They have also made an order that the Commissioners for relief of Articles shall not determine such cases concerning articles given in Ireland until the matter of fact be first stated to them, by such persons as your Lordships shall appoint for that purpose. And whereas some question hath been made whether the Act of General Pardon and Oblivion do not extend to Ireland, they see no ground for any such doubt, it being generally resolved that no Act made in England doth not extend to Ireland unless Ireland be therein particularly named, and therefore do resolve that the said Act of General Pardon and Oblivion is not to be construed to extend to any persons or things in Ireland but where particular mention is made of the same." 13 June. Commissions etc. A/27. 25. ff. 58-9. *Enclosed*.

683 (i). ADDITIONAL INSTRUCTIONS TO THE LORD DEPUTY AND COUNCIL.

"1. You are authorised and empowered by yourselves or whom you shall appoint to compound with persons who have rents, statutes, mortgages or other encumbrances upon any the rebels' estates, by allowing such persons certain proportions of the same lands in Ireland liable thereunto, or by some other way equitably according to the value of such rent or encumbrance and the right of such person or persons claiming the same, so as the rest of the said lands may be disburdened of such charge or encumbrance for the advantage of the State.

"2. In case any of the lands or estate of any Irish rebel, who is to be transplanted into Connaught, be charged with any rent, statute, mortgage or other encumbrance, you are authorised and empowered to give order in the first place for defalking out of the value of the lands and estate of such person so much as shall be sufficient to answer and discharge such rent, statute, mortgage or encumbrance and then to give order that the proportion, which such person is to have in Connaught, by any Qualification in the Act for Settling Ireland, shall be made

according to the value of the clear estate of such person after such defalcation as aforesaid.

“ 3. Whereas by an Act of Parliament, entituled ‘ An Act for the speedy and effectual satisfying of the Adventurers for lands in Ireland and of the arrears due to the soldiery there,’ the County of Louth is declared to be in Leinster, you are to deem and take the same so to be and to cause the same so to be deemed and taken to all intents and purposes.

“ 4. Whereas by an Ordinance of 2nd September last, entituled ‘ An Ordinance for admitting Protestants in Ireland to compound,’ liberty was given for such composition for the benefit of such persons, who have nevertheless delayed to perfect their compositions in all this time, to the prejudice of the public service, you are authorised and required to declare and publish that no Protestant in Ireland, claiming any benefit by that Ordinance, shall from and after 25th December next be admitted to any such composition by force of the said Ordinance, to the end the lands and estates of such persons may from thenceforth be improved to the best advantage of the State, as others not admitted to compound.

“ 5. To the end that, in all judgments that shall be hereafter given by the Commissioners in England for giving relief unto persons upon Articles, care may be had that the Commonwealth may not be wronged for want of a due information of the state of the case concerning such persons as shall claim the benefit of articles granted in Ireland, you shall from time to time, as there shall be cause, nominate and appoint some fit and able persons duly to examine and to state the nature of fact concerning such persons as shall seek relief before the said Commissioners here, to the end the matter of fact so by them stated may be transmitted to the said Commissioners of Articles, before they proceed to determine such case.

“ 6. Whereas by an Ordinance of 31st March 1654,¹ entituled ‘ An Ordinance for better provision for maimed soldiers and old widows and orphans in Ireland,’ divers forfeited lands in the baronies of Balrothery, Coolock² and Imokelly³ are appointed for that purpose, forasmuch as it hath been found impracticable

¹ No such Ordinance appears in Firth & Rait, *Acts and Ordinances*. By the Act of Satisfaction only the baronies of Castleknock in co. Dublin and Imokelly in co. Cork were set apart for the purpose described.

² Both in co. Dublin.

³ In co. Cork.

to give satisfaction unto them by lands in respect of the smallness of the quantities that the respective arrears would amount unto, and the difficulty in setting out such proportions to every of them, whereby they have not hitherto nor can probably reap that benefit and relief intended to them, and the residue of the lands there have not been improved, which hath been to the prejudice of the Commonwealth, to the end therefore the benefit intended to such maimed soldiers, and old widows, and orphans may be made effectual, you are empowered and authorised to give satisfaction in money, unto such of them as shall desire the same, for their proportions of land which they may claim out of any of the said baronies by force of the said Ordinance, and take care that such lands for which you shall so compound and give satisfaction be settled and employed to the use and benefit the Commonwealth.

“7. You are authorised to give order that all leases of lands let by the Commissioners of the Commonwealth in Ireland, by authority according to Instructions, and since fallen by lot to the Adventurers, be transferred to the respective Adventurers upon such terms and conditions of improvement and advantage to them as have been made or given upon the State’s account, and in the cases where the condition to be performed by the tenants refers not to private advantage of the Adventurers but to public concernment, you have hereby power to agree the same in such an equitable way as you shall think fit ; and that in such cases where the lessees have not on their part performed their conditions in point of planting and improving the lands demised, or otherwise where leases have been obtained upon other terms than by the authority and instructions given to the Commissioners for the Revenue were appointed, the Adventurers be put into possession by the sheriff of the county where those lands lie, upon order for that purpose to be directed from such persons as you shall appoint to hear and determine such cases, and you are hereby empowered to appoint such persons as you shall think fit for that purpose accordingly.” Undated.¹ *Ib.* ff. 60-63.

684. “Oliver P. It being our will and pleasure that our

¹ Note added : “These Instructions were received the 11th July 1655 by Lord Henry Cromwell and Sir John Reynolds.”

trusty and well-beloved Richard Pepys our Chief Justice assigned to hold pleas before us in our Court of Upper Bench in Ireland, Sir Gerard Lowther our Chief Justice of our Court of Common Bench in Ireland, and Miles Corbett our Chief Baron of our Exchequer there be Commissioners of our Great Seal of Ireland and have power to rule and manage the business of and in our Chancery within that our Dominion as the Chancellor or Keeper of the Great Seal there hath had in time past, and shall so continue until we shall otherwise order, we therefore hereby will and command you that forthwith upon receipt of our said Great Seal of Ireland (which we now send unto you herewith by our trusty and well-beloved Sir John Temple, Kt., Master of the Rolls in our said Chancery) you dispose of and deliver it into their hands and custody for that purpose, and administer unto them the oath herewith sent you." 14 June. *Ib.* f. 69.

685. "The Lord Deputy and Council taking into consideration the best ways and means how all such persons of the Irish nation, who have right unto articles or any favour and mercy held forth by any the Qualifications in the Act of Parliament, entituled 'An Act for the Settling of Ireland,' may enjoy the benefit intended unto them and every of them respectively, and how all such persons as are transplantable into the Province of Connaught and County of Clare (and that shall transplant themselves accordingly) may effectually and speedily have and receive a like proportion of land by measure or in value in the Province of Connaught and County of Clare, and of the like estate of inheritance, freehold for the like term of years or number of lives, to be by them held and enjoyed in lieu and satisfaction of such part of their estate, which by such articles or qualifications he or they were and are to enjoy, the said Lord Deputy and Council in pursuance of the trust to them committed have nominated etc. and do appoint Sir C. Coote, Lord President of Connaught, William Edwards, Charles Holcroft, James Shaen,¹ Henry Greenway and Stephen Squibb¹ Esqs. jointly and severally to be Commissioners for the ends

¹ James Shaen (see above, p. 387, note) and Stephen Squibb were afterwards (see below, p. 570) dismissed for corrupt practices in the execution of their office.

and purposes aforesaid. . . . This Commission shall continue and be in force until 20th October next ensuing or until further order." Athlone, 16 June. Commissions and Instructions A/26. 24. ff. 99-101.

686. ADDITIONAL INSTRUCTIONS ¹ FOR SIR C. COOTE AND THE REST OF THE COMMISSIONERS FOR SETTING OUT OF FORFEITED LANDS TO PERSONS TRANSPLANTABLE INTO THE PROVINCE OF CONNAUGHT AND COUNTY OF CLARE.

1. Expedition to be used to allot the same proportion of profitable lands in quantity according to the survey of Connaught, as by the Decree and Order is or shall be judged to belong unto them and every of them respectively ; and that rent-charges and the like, which cannot be set out according to the quantity be satisfied proportionably unto what the said rent-charge might be valued at in 1641, with present land to make up the like value in Connaught.

2. Those who have already transplanted themselves not to be removed unless they desire it, except in case of extreme necessity, when they are to have reparation for all buildings etc. erected, and special care taken for their future accommodation.

"3. For the more orderly proceeding in setting out of any lands you are to begin with one barony in each county, beginning in one point of the barony as *e.g.* north-east, and so proceed in the same barony to all persons coming before you next adjoining one to another without intervals, and have equal regard unto them as they do or shall come before you, and so to proceed from one barony to another, and having filled one barony then to proceed in like manner in the next barony ; provided this shall not extend to persons already settled by you, or such transplantable persons who have or shall have special orders or directions from us."

4. No lands within garrisoned or walled towns or within one mile of a garrison, or within three miles of the sea or Shannon to be assigned or set out to any persons transplantable as abovesaid, nor any woods of considerable quantity of timber, such being to be preserved for the Commonwealth.

"5. Where any person or persons that are Popish Recusants

¹ Note in margin : "Instructions for Commissioners at Loughrea. The former Instructions are dated 6th January 1653[-4]." See pp. 387-389.

have and are possessed of any lands or houses in any town or parish in Connaught or Clare, you shall forthwith cause such person and persons to put in his claim thereto before the Commissioners appointed for the adjudication of claims and to prosecute the same with effect and under what Qualifications they fall ; and, according to the proportion of land adjudged to belong unto them, you are to permit them to enjoy such part and portion thereof, as is or shall be so adjudged to belong unto them, without any picking or choosing to be made by the party himself, and to cause such equal allotment to be made unto him and them as indifferently as you may, but so as the persons transplantable, that are to be placed in towns or in the residue of the lands lately belonging unto them, may also have an equal allotment and proportion with them, wherein you are to use all equality and indifference ; and if any preference be to be had, to give it to such person or persons as shall appear to you to have been most deserving.

“ 6. When any person or persons transplantable as abovesaid have, by colour of former orders, gotten the possession of any castle or garrison hereafter mentioned, or any lands within one mile thereof or within three English miles of the sea and three English miles of the Shannon, or the possession of any wood having considerable timber growing therein, or that is or shall be by you adjudged fit to be reserved for the growth and preservation of timber, that you cause such persons forthwith to be removed out of such garrisons and places as abovesaid, and that you do forthwith cause him and them (when their qualifications are determined) to have other forfeited lands near adjoining thereto, that do belong to the Commonwealth and are undisposed of, such forfeited lands to be of equal proportions and quantity as the lands he and they are removed from ; provided that such persons, that have made or caused to be made any gardening, ploughing or other planting, do receive this summer's profit thereout, but not otherwise.”

7. Licence to be given to transplanters to cut down wood in order to expedite their settling ; but security to be taken that not too much is cut down and that the licences be not otherwise misused. Athlone, 16 June. *Ib.* ff. 102-4.

687. THE NAMES OF THE GARRISONS WITHIN WHICH, OR WITHIN ONE ENGLISH MILE THEREOF, NO POPISH RECUSANT, OR OTHER PERSON TRANSPLANTABLE SHALL BE ADMITTED TO INHABIT, OR RESIDE, OR TO HAVE LANDS APPOINTED OR ALLOTTED TO THEM VIZ.

In County Galway, the town and city of Galway or within five miles thereof. The isles of Aran, Inishboffin, Cleggan Bay, Lettermullan, Dunmore, Meelick, Banagher, Ballymoe.

In County Roscommon Athlone, and within three miles thereof, Ballinasloe, Termonbarry, Ballatnara (? Bellantra), Cam Island, Ballyleague.

In County Clare, Carrigaholt, Lymaneagh,¹ Clare Castle, Inchicronan and Killaloe.

In County Sligo, the town of Sligo or within five miles thereof, Bellahy, Ballinafad, Ballymote.

In County Mayo, Ballinrobe, Cahernamart,² Ballyloghan, Broadhaven and Beleek.

In County Leitrim, Jamestown, Carickdrumrusk,³ Harbour Burshell (?), Fenagh, Tomonaghan (?).

The towns ensuing are to be reserved on the account of garrisons for English plantations, viz. Loughrea, Athenry, Portumna, Ballintober, Shrule, Akin, Dunamon. 16 June. *Ib* f. 105.

688. Ordered that John Santhy and the rest of the Commissioners sitting at Athlone to adjudge of the titles and qualifications of the Irish, and James Cuff,⁴ or any one or more of them, be empowered to give the oath ensuing to Col. Wm. Edwards and the rest of the Commissioners that are to sit at

¹ Lemaneh, in the parish of Kilnaboy and Barony of Inchiquin.

² Now Westport.

³ Now Carrick-on-Shannon.

⁴ James Cuff or Cuffe was the son of Thomas Cuffe of Crych, Somersetshire, who at the outbreak of the Rebellion contributed liberally in money and provisions for its suppression. As a Commissioner for assigning lands to the Irish in Connaught James Cuffe acquired considerable property in counties Mayo and Galway, in and about Ballinrobe. He was at heart a royalist, and joining with Coote and Broghill to secure the restoration of Charles II, he was confirmed in the possession of his estate, and having received the honour of knighthood, together with the office of Master of the Ordnance in 1660, he was in 1661 elected M.P. for county Mayo, appointed Clerk of the Council in Connaught in 1662, and a Commissioner for the execution of the Act of Settlement and created a Privy Councillor. In 1655 he married Alice, daughter of Dr Ambrose Aungier, and died in 1678. Lodge, *Peerage*. Ed. Archdall, iii, pp. 376-378 and *Cal. State Papers, Irel.*, 1660-1670 *passim*.

Loughrea, to set out lands to persons transplantable into Connaught and Clare. 18 June. *Ib.* ff. 101.

689. Ordered that the Commission for adjudicating Claims, which terminates on 1st July be prolonged till 21st September next ensuing. 18 June. *Ib.* f. 106.

690. LORD DEPUTY AND COUNCIL TO SIR CHARLES COOTE.

“ There having been commissions sent by the late Commissioners of the Commonwealth to several persons for examining the delinquency of proprietors in the precincts of Athlone and Galway, which service hath been much retarded to the very great prejudice of the Commonwealth . . . and the hastening whereof tending much to the settlement of this province, we do hereby especially recommend the same to your care. . . .” Athlone, 18 June. Letters of Lord Deputy and Council A/30. 20. f. 77.

691. “ Upon consideration had of the inconveniency that happens to the transplanted Irish that have their qualifications and claims to their estates adjudged by the Court sitting at Athlone and are to their insupportable charges, as is suggested, necessitated to travel to Loughrea to the Commissioners there, to have their lands set out unto them accordingly, to the end, therefore, that the public work of transplantation may be carried on with most expedition, and ease of the said Irish people, and that the respective courts may likewise have the better communication with each other in that public service, it is ordered that the Commissioners sitting at Loughrea, as also such as are in pay and officiate under them do, by 1st July next, remove themselves from Loughrea unto Athlone to sit and prosecute their Instructions in order to the more effectual carrying on and despatch of the public affairs of transplantation; and it is hereby further ordered that it be recommended to Lt.-Col. Alexander Brayfield, Governor of Athlone, to take care that the said Commissioners be accommodated with such convenient place there for their carrying [on] the public service as the place will afford.” 23 June. Orders A/5. 5. f. 177.

692. Ordered that a Committee of Trade be appointed to

consider what has been done by the previous Committee, as also such other matters, as, in their observation, continue to obstruct the trade and commerce of the nation, and upon serious debate had thereof, to propose what remedies they conceive fit to remove those interruptions to the end that trade may be revived. The Committee to sit *de die in diem*. 25 June. *Ib.* f. 179.

693. T. HERBERT TO THE COMMANDERS-IN-CHIEF OF THE RESPECTIVE PRECINCTS.

Notify them that the collection for the Waldenses, to be taken up on 5th July, is not to be made in public meeting-houses, but from house to house in each city and parish. 27 June. Letters of Lord Deputy and Council A/30. 28. f. 178.

694. Whereas Benjamin Worsley, Surveyor-General, hath informed this Board that the transcripts of those surveys required of him for the use of the Courts in Connaught cannot be forthwith prepared, and, in order that the public business may not be retarded for want of such surveys, hath propounded that, in the interim, the Commissioners for setting out lands to transplanted persons do proceed in setting out lands to the said persons, according to such certificates of their respective estates as shall be given by him, it is thought fit and ordered that the said expedient be agreed and assented to. 28 June. Orders A/5. 5. f. 281.

695. Ordered that Sir Richard Blake, employed as agent in behalf of the Corporation of Galway to attend this Board for a resolution upon the Articles of Galway, be permitted to reside in Dublin for the space of twenty days. 2 July. *Ib.* f. 185.

696. Ordered that Chief Justice Pepys be desired to peruse and consider of the annexed copy of the 5th Article in the Capitulation of Galway, to the end the Council may receive his Lordship's opinion thereupon on Friday next, whether thereby the Irish comprehended in the said article have any right or interest to their houses in the town of Galway, or other their real estates there. 3 July. *Ib.* f. 183.

697. T. HERBERT TO THE COMMISSIONERS AT LOUGHREA.

"Your letter was received and read last day to the Lord Deputy and Council, who are so far persuaded that your being at Athlone will advance the public service, that they have again ordered your speedy remove thither. In reference to your former desires, by an order of 28th June last you are empowered (as often as occasion shall require) to send to the Surveyor-General of lands for such certificates as may be drawn from the return of the civil surveys, until transcripts can be prepared. . . ." 3 July. Letters of Lord Deputy and Council A/30. 28. f. 80.

698. LORD DEPUTY AND COUNCIL TO COLONEL BRIDGES, MR MOORE¹ AND MR BAXTER.

"Having taken a late petition of Colonel Bridges² into consideration, and being willing to give all due encouragement to a work so highly conducing to the welfare of this nation, as the settlement of a godly ministry, we thought fit to signify unto you that, upon the certificate of yourselves (or from Mr Anthony Burgess³ of Sutton Caulfield, Mr Blake⁴ of Tamworth, Dr Bryan,⁵ Dr Grew⁶ of Coventry, Mr Trap⁷ of Welford, Mr Baxter⁸

¹ Presumably Richard Moore (1619-1683) of Alvechurch in Worcestershire, for some time "a preacher of God's word" in Worcester Cathedral.

² John Bridges, Richard Baxter's friend, appears to have come to Ireland about this time. In June 1656 he was appointed a Commissioner for arranging differences between the Adventurers, and in the same year was returned one of the two members of Parliament for the joint counties of Sligo, Roscommon and Leitrim. Letters from him to Henry Cromwell will be found in Lansdowne MSS., 821-823. See Firth, *Last Years of the Protectorate*, and *Ludlow's Memoirs*, ii, p. 185, note.

³ Anthony Burgess, a Fellow of Emmanuel College, Cambridge, vicar of Sutton Coldfield, Warwickshire, and a member of the Westminster Assembly, was ejected from his living at the Restoration; a very learned and pious man.

⁴ Thomas Blake, a native of Staffordshire and a graduate of Oxford, was for some time minister at St Alkmunds, Shrewsbury; but afterwards accepted a call to Tamworth, where he died in 1657. He published many religious works; but is best known from his controversy with Baxter. His funeral sermon was preached by Burgess.

⁵ Dr John Bryan, minister at Coventry, a stronghold of Puritanism, was ejected in 1662, and died in 1672.

⁶ Dr Obadiah Grew, minister of St Michael's Church, Coventry, and in 1654 assistant to the Warwickshire commission for removing scandalous ministers, was ejected at the Restoration.

⁷ John Trap or Trapp, originally a schoolmaster and for some time vicar of Weston-on-Avon, was in 1646 appointed rector of Welford in Gloucestershire. He was ejected at the Restoration, and died in 1669.

⁸ Richard Baxter, the famous Nonconformist divine, author of *The Saints' Everlasting Rest*, published in 1653, at this time minister of the church at Kidderminster.

of Upton-on-Severn, Mr Hopkins ¹ of Evesham, Mr Butler ² of Warwick, or any four or more of them) in behalf of such ministers as the Lord shall incline to come hither, who (upon inquiry and examination) shall be found to be men fearing God, of holy and unblameable life, able and fitly qualified to preach the Gospel, of brotherly, sober and healing spirits, and to make known the riches of love and free grace through Christ—for such persons we give you this assurance that, according to the trust committed to us, there shall be afforded such maintenance as shall render them a comfortable subsistence in that work, and herein we do earnestly desire and expect your furtherance.” 6 July. *Ib.* f. 82.

699. Whereas it is informed that, under colour of some late Orders from this Board for transporting rogues and vagrants to Barbados,³ several Irish and others are surreptitiously apprehended and forcibly put on board a ship in this harbour of Dublin, bound for that island, who are not comprehended as vagrants or idlers, it is ordered that the Governor and Mayor of Dublin do authorise persons to search the ship and such as they shall find there contrary thereunto, they are to secure and speedily to report the particulars thereof to the Council. 6 July. General Orders A/5. 5. f. 188.

700. “Ordered that Mr Justice Cook and Mr Attorney-General Basill do (in their perusing the 5th Article of the Capitulation of Galway, appointed to be debated on Friday next ensuing) consider whether that clause where it is mentioned that, ‘in case any part of their real estates shall happen to be contiguous’ etc. do not comprehend what is contained in the first and second head foregoing in that 5th Article, and declare

¹ George Hopkins, rector of All Saints’, Evesham, and author of *Salvation from Sin*, to which Richard Baxter contributed a preface, was ejected in 1662, and died in 1666.

² Samuel Butler was a graduate of Oxford. Lives of most of the individuals mentioned in the Document will be found in the *Dict. Natl. Biog.*

³ Cf. Proposals delivered by Capt. Kingdon to the Council of State in May (*Cal. State Papers, Irel.*, 1647-1660, p. 571): “That they (the Irish Government) may have power to transport a certain number of vagrants to the Summer Islands, there being no other way securely to dispose of such Irish Tories as come in upon conditions.”

their sense thereupon on the said time appointed." 6 July. *Ib. f. 188.*

701. "Whereas the Lord Deputy and Council do, by their answers to certain queries presented to them at Athlone, by Lt.-Col. Brayfield and Major William Moore the 19th June last, find, contrary to their expectation, that occasion is taken, from their said answers to the second and third queries, to hinder and make void the business of transplantation enjoined and commanded by authority of Parliament, the said Lord Deputy and Council, upon further consideration, do hereby order that the answers to those two heads be made void as also all proceedings made therein."¹ 6 July. *Ib. f. 189.*

702. Ordered that the Commissioners-General of Revenue do consider what rents such Irish or other Delinquents, as are proprietors or inhabitants of Connaught and Clare, should pay for their respective holdings over and above their due proportion of contribution for the year past, as also for the future, during the time their qualifications and claims to such their respective estates are not determined. 10 July. *Ib. f. 190.*

703. Upon consideration had of the petitions presented unto this Board by several agents of the army in Leinster and Munster, praying that they might be put into speedy possession of their full and entire satisfaction for arrears, pursuant to the Act of Parliament and according to their respective lots drawn at the convention of the late general council of officers, it is ordered that Robert Goodwin and Col. Matthew Thomlinson (two of the Council) taking to their assistance Benjamin Worsley and Dr Wm. Petty be and are desired to consider thereof, as also of the petitions of the agents for the forces fallen in the Ulster lot. 11 July. *Ib. f. 192.*

¹ See in this connection Fleetwood to Thurloe, 4 July (Thurloe, *State Papers*, iii, p. 612): "Upon our journey we found the officers objecting in several places that some of our own orders had obstructed the work of transplantation, which were made on the behalf of Sir William Fenton, Sir Hardress Waller, and other English proprietors. The words of the order were so penned as gave them liberty to keep Irish proprietors on their estates, which words were disowned by most of the Council not to be within their intentions to grant; and we finding those orders to be pretended hinderers of the work, we did recall them."

704. THE QUERIES OF THE PROTESTANTS OF LIMERICK.
ANSWERS THERETO.

“1. Touching such Irish or others as were upon watch and ward at or near Limerick, during the siege there, it is hereby declared that such are understood to be persons in arms, and consequently liable to transplantation into Connaught and Clare.

“2. Concerning such Irish as were forced or pressed thither, they are likewise understood to have been persons in arms and thereby liable to transplant as aforesaid.

“3. Concerning Pedees and garcones¹ they are likewise understood to be transplantable persons and are to conform to the rule accordingly.

“4. Concerning mortgagers, mortgagees and the eldest sons of such Irish though not in arms, it is declared that all such persons are deemed proprietors, and thereby become liable to transplant as aforesaid. But, as concerning the other sons that live not with their parents they are not reputed or taken to be proprietors upon that account, and consequently not liable to the rules for transplantation. . . .”

And finally concerning train-bandmen, auxiliaries and persons appearing at rendezvous, the answer referred to the Committee is that they ought to be accounted men in arms.

We do agree with the said report and accordingly order that such persons as fall under any of the said considerations do transplant. 14 July. *Ib.* ff. 195-6.

705. IN ANSWER TO THE SUBJECT OF NO. 703.

“ . . . There not yet appearing any new ground or sufficient reason to induce them to believe that there is of lands forfeited sufficient to give full satisfaction for the whole arrears, and upon serious debate had of so weighty a business they [the Lord Deputy and Council] do not judge it safe to recede from the Order of 23rd May² last past concerning the present putting the army into possession of lands for and towards the satisfying of two-thirds of their arrears.” 16 July. *Ib.* f. 193.

706. Ordered that persons desiring leases of Bishops' lands or

¹ *I.e.* Paddies and gossoons, meaning a nondescript sort of labourers.

² Printed in *Hist. of the Down Survey*, pp. 64-65.

State lands within twenty miles of Dublin are to repair to the Commissioners-General of the Revenue, and such as shall take any lands for the term of seven years are to have the same upon such reasonable rents as shall be agreed on. 18 July. *Ib.* f. 199.

707. Whereas this Board is informed that divers persons dwelling within this city (Dublin), whose houses the Commonwealth have given orders to let (as being persons transplantable into Connaught or Clare) do refuse and deny possession of their houses to such tenants as have taken the same, it is ordered that the Commissioners-General of Revenue do appoint persons to put in possession such as have taken the houses. 18 July. *Ib.* f. 202.

708. LORD DEPUTY AND COUNCIL TO THE COMMISSIONERS FOR SETTING OUT LANDS IN CONNAUGHT.

“Being informed that you begin to set down persons in the baronies of Inchiquin and Burren, which places being generally reputed and known to be sterile, we fear it may much hinder the business of transplantation by disheartening those which shall come after, when they shall see such assignments made in the entrance of this work. We do therefore advise that you would settle such persons, as shall clear their qualifications, upon such lands, with respect to the Instructions given, as may encourage their setting down there, which we think may be a good motive to draw others to the effecting their business of the like nature, when they shall see a care and respect had to such as go before them.” 18 July. Letters of Lord Deputy and Council A/30. 28. f. 82.

709. “Upon consideration had of the petition presented unto this Board by several officers of the army, desiring that all the profits of the lands, belonging unto the army’s security in their several and respective lots, might be assigned them over for their use in their respective divisions, from May last, and to continue until the lands be divided and laid out by the Down admeasurement, and upon conference with the petitioners and debate had upon the Acts and Ordinances of Parliament and of his Highness,

the Lord Protector, relating thereunto, forasmuch as there is a great doubt whether the civil survey, as already returned, be a survey agreeing with the prescript Rule of the Act for putting the officers and soldiers into present possession of lands (amounting to two-third parts of their respective arrears according to the gross estimate), as also considering what previous acts (not yet done) are primarily and reciprocally to be performed, and that the counties for collateral security desired, are not disposable (according to the Rule of the Act) for satisfying the army, until it appears what surplusage may or shall arise from the moiety of the ten counties (ordered for satisfaction of the Adventurers) and of the County of Louth, which, by the Act, are made additional security, and are first to be proposed as satisfaction, before any other of the counties appointed for collateral security, the Council, moreover, taking into consideration how there are several reduced officers and soldiers set down, besides divers others, who ought of right, by the Act, to receive equal satisfaction with the army according to proportion, the Lord Deputy and Council do therefore order that the said agents, or such as the army shall appoint, may receive the rents and profits issuing out of the forfeited lands within the moiety of the ten counties, due and in arrear from 23rd May last, for and in behalf of themselves and the rest of the army; and Dr Wm. Petty is hereby strictly enjoined to take special care that the Down Survey or exact admeasurement (now in hand) be, with all convenient speed perfected." 20 July. Orders A/5. 5. f. 198.

710. Whereas this Board is informed that the removal of the Commissioners sitting at Loughrea to the town of Athlone is found inconvenient for the transplanted Irish, that have their lands to be set out unto them, pursuant to their respective claims and qualifications, and of public prejudice (the said town of Loughrea being conceived to be in the centre of the province of Connaught), it is thought fit and ordered that the choice of removing or staying be left with Sir C. Coote. 22 July. *Ib.* f. 206.

711. Ordered that power be given to Sir C. Coote, as well as the Commissioners at Loughrea, to give licence to the Irish to cut timber for building houses. 23 July. *Ib.* f. 203.

712. “ Upon consideration had of the petition of the Corporation, freemen and inhabitants of the town of Galway, within the County of Galway, praying that they might be continued in the said town and enjoy their houses and estates there, and not be removed from thence, and that in pursuance (as was pretended) of the Articles with them made at the rendition of that town in or about the 5th of April 1652, and upon hearing their agents and counsel on their behalf, as also upon consideration had of the Act of Parliament in England, entituled ‘ An Act for the Settling of Ireland,’ made and passed in or about the 12th August 1652, and of the Proviso in the end of that Act, and of the further Instructions from the Council of State in England bearing date the 2nd July 1653, which were since confirmed by Parliament ; and upon consideration had and taken of the 5th Article of the said Articles of Galway, which was most insisted on and pressed by the said agents and counsel, whereby it was agreed that they should enjoy their estates and houses in Galway without any interruption, diminution, marks of distinction or removal of persons or families, and that they should enjoy two-third parts of their real estates, in three to be divided, in all other parts within this Dominion ; and also consideration being had of the clause subsequent in that 5th Article, whereby it was provided that in case any of their said real estates shall happen to be contiguous to any considerable castle, fortification, or streight within this Dominion, or conceived to be necessary for any particular plantation, that then such person or persons possessed of the same shall be satisfied and paid the full value of such castles and houses as in and by the said 5th Article is appointed ; and after full debate had thereof as well by the said agents as also by the counsel of the Commonwealth, the said Lord Deputy and Council, well weighing and considering the premisses, and first finding that the town is and hath been, and, as they judged it, most fit to be continued as a garrison, place of strength and fortification, and also fit and is so intended to be a plantation for persons of the English nation, have and did resolve and do so order and declare—that all persons who do claim and have right to any of the houses or other real estates within the said town of Galway, or that have any houses or other real estates in or contiguous thereto, being Popish Recusants, or removable from their said houses, and that they do remove themselves and

families from their said houses and real estates in Galway aforesaid at or before the 1st of November now next ensuing (1655) ; and in case any shall refuse or neglect so to do that the officers and soldiers and other the officers and ministers of State authorised so to do, and are hereby required to remove them from their said houses and real estates in Galway, or as are contiguous thereto ; and they do further order and declare and it is hereby ordered and declared that in pursuance of the said 5th Article and of the said Proviso in the said Act of Parliament (entituled An Act for the Settling of Ireland) that such person or persons so to be removed as abovesaid shall be satisfied and paid the full value of such castles and houses, according as indifferent men mutually named by the said proprietors and such as shall be entrusted by the State shall agree upon ; and, in case any difference shall arise between them, one umpire shall be named by both parties to determine the same, so as the proprietors may be satisfied in other houses and lands of equal value and goodness with their own, from which they are or shall be removed as abovesaid, or otherwise satisfied the same ; and it is further ordered that Sir Richard Blake Kt. and other the agents for and on the behalf of the town do nominate in writing under their hands such person and persons as they shall judge fitting to be joined with such as the said Lord Deputy and Council shall also nominate and appoint for the adjudging and determining thereof." 23 July. References of Petitions A/9. 9. ff. 52-4.

713. Ordered that a Committee do consider whether a person, having forfeited his estate for levying war in England or Scotland do thereby make his estate in Ireland liable to make satisfaction to the Adventurers by force of the Act for the satisfaction of Adventurers and soldiers. 27 July. Orders A/5. 5. f. 207.

714. Ordered that the Irish, attending the Court of Qualifications and the Commissioners at Loughrea, be not arrested till 20th September next, nor molested in any way. 29 July. *Ib.* f. 203.

715. Ordered that a Committee do consider whether certain Irish, who have come out of Ulster into Leitrim, be allowed to plant there, considering its fastness of position, or be obliged to remove into Connaught. 31 July. *Ib.* f. 214.

716. ANSWERS TO THE PROPOSALS FROM THE COMMISSIONERS AT ATHLONE.

“ . . . 1. The said Commissioners of the Court of Qualifications have power hereby to divide themselves (for the better despatch of business) and as often as they shall think fit, provided that Mr Justice Cook or John Santhy Esq., or one of them, be one of their number in such cases.

“ 2. Where witnesses are produced they might be examined *viva voce* in the said Court, and the merits or demerits of every cause might be ascertained in the Decree or Dismiss by a brief inserting of the substance of the evidence and material proofs, whereby causes might be summarily ordered, and that when the Council for the Commonwealth shall see no probability to make any further proof concerning the delinquency of the claimants, or for the title of the Commonwealth, and that the claimant may be ready with his evidences and witnesses to come for a hearing, whereby the said Court may speedily come to a determination of the cause. Assented to.

“ 3. That instead of granting commissions to prove possession in the year 1641 all surveys, that were formerly taken upon oath and by juries, should be conclusive and binding to all parties not only as to the quantity and value, but also as to the possession. The Lord Deputy and Council do think fit to leave the same to the consideration of the said Court, to judge of the sufficiency of such surveys, as may prove not only the quantity and value, but also possession, where they see cause and whereby the work may be the better despatched.

4. Whereby it appears that divers claimants do first enter their claims to some small parcel of their estate to see under what qualification they fall, and then (if they see cause) upon pretext that their evidences are dispersed or other excuses, they exhibit another claim, thereby spinning out their time and interposing delays towards the despatch of the public service and to the prejudice of divers persons, it is ordered and declared that no Irish or other persons whatever be hereafter admitted by the Commissioners of the Court for Qualifications and Claims at Athlone to enter any more than one claim and to proceed definitely therein. 1 Aug. *Ib.* ff. 216-7.

717. Ordered that a Committee be appointed to consider the equitable laying out of the £10,000 *per mensem* assessment. 2 Aug. *Ib.* f. 213.

718. Ordered that Messrs Corbett, Robert Goodwin and Col. Thomlinson do peruse the Act of Parliament and Ordinance of the Lord Protector, whereby the three baronies of Coolock, Balrothery, and Imokelly are appointed to satisfy the arrears due to maimed soldiers, aged widows and orphans, and further consider how the State may most advantageously be enabled to buy the respective Debentures issued by the Commissioners of Accounts for such arrears. 5 Aug. *Ib.* f. 219.

719. OLIVER CROMWELL TO HENRY CROMWELL.

“Upon the addresses of James Coppinger¹ Esq. finding that his case (if truly stated by the enclosed) to be different from many others, and in respect his father was faithful to the Parliament in assisting them against the Rebellion, and lending them at the first £500 towards maintenance of their army, and supplying them with victuals and other necessities, upon which account the rebels burned his house and his castles, and he himself never acted against the Parliament, and hath lately married a gentlewoman who is a Protestant and of good repute,

¹ This James Coppinger appears to have been the son of Robert Coppinger, who was Mayor of Cork in 1644, when the old inhabitants were turned out of the city by Inchiquin on his revolt to the Parliament, and of whom the following curious anecdote is related by Wright in his *History of Ireland*, ii, p. 86. During his stay at Cork in 1649, Cromwell is said to have made Coppinger's house at Ballyvolane his headquarters. Some years before, when travelling on the Continent, Coppinger became security for a young Englishman, a brewer, for a debt, for which he was arrested. The bills drawn in Coppinger's favour were, however, on presentation in England, dishonoured, and Coppinger had to make good their payment. In 1649 he was recognised by Cromwell, who sent for him, and on his appearing, asked him if his name was not Coppinger. “Yes,” replied Coppinger. “Were you not at——?” further inquired Cromwell, mentioning the town and year. “Yes.” “Did you not become security for a young man, whose bills were never honoured, and you had to pay?” “Yes.” “Then,” said Cromwell, “I am that man, and you will receive your estate without further question, in compensation of those bills.” Murphy, who quotes the story in his *Cromwell in Ireland*, p. 246, adds: “Another version, which we have from a member of the Coppinger family, says that Cromwell gave the owner a protection which saved the property from confiscation, and that he wrote it on the pommel of his saddle, seated on horseback, before the door.” The above letter seems to dispose of these legends. More interesting historically is the fact that Cromwell's interposition did not save Coppinger from transplantation (see below, p. 574). He was, however, restored to his estate by the Court of Claims at the Restoration. See *Cal. State Papers, Irel.*, 1669-1670, pp. 282-283.

we desire that all favour may be shown him both as to his estate and also in exempting him from transplantation." 14 Aug. Letters of the Lord Protector and Council A/28. 26. f. 68.

720. Whereas it is humbly conceived that the Commonwealth is at great charge in maintaining of divers garrisons and guards, which are of little or no use or defence to the country, and only serve as conveniencies to private men that have taken custodiams, it is the humble desire of the Council that the Lord Deputy may see what may be done for their retrenchment. 15 Aug. General Orders A/5. 5. f. 221.

721. "Whereas many murders, robberies, spoils and other mischiefs are daily done and committed by Tories, and other loose and idle persons in several parts of this nation, upon the English and Protestants and other the good people of this land, by reason such Tories and other evil disposed persons are sheltered and protected by the Irish, that live scatteringly up and down the several counties, whereby no notice can be taken of such evil practices, upon consideration had thereof, and to the end that such mischiefs may be prevented for the future, it is hereby ordered and declared that the governors within the respective precincts in Ireland do take special care that all such Irish, as are not comprehended in the Rule for transplantation into the Province of Connaught and County of Clare, and that live scatteringly in the several counties of Ireland, (and thereby can make no resistance against Tories, but rather are a relief to them and hold correspondency with such bloody persons and others) do at or before 20th August next draw themselves into villages and townships and cohabit together in families, and that every such village or township shall consist of at least thirty families, and shall not stand or be placed within half-a-mile of any fastness, whether it be wood, bog or mountain, that may be adjudged a shelter for Tories or other enemies of the Commonwealth. And it is further ordered and declared that in each of the said villages or townships there must be appointed a headman, constable or tithing-man, who is from time to time to take care that the cattle belonging to that village be brought together every night, and that there be a watch set in convenient places, and cause at least

thirty men to be at every watch, to the end that such mischiefs as is above mentioned for the future may be prevented, and the thieves, Tories, and other loose persons the better discovered and apprehended." 16 Aug. *Ib.* ff. 224-5.

722. Ordered that Sir C. Coote, Sir H. Waller, Sir Robt. King, Sir John Reynolds, Col. Hewson, Col. Sankey and others be appointed a Committee for the purposes described in No. 718. 20 Aug. *Ib.* f. 223.

723. Having received a special command from his Highness the Lord Protector that Lt.-General Ludlow do not return into England until his Highness' pleasure be signified, Lt.-General Ludlow is ordered to take note thereof. 25 Aug. *Ib.* f. 226.

724. Whereas information hath been given that several soldiers of the regiments and companies of foot appointed to be disbanded¹ will not sit down upon their lands, notwithstanding the encouragement held forth, and in order to prevent the inconvenience they will necessarily fall under by receiving them into the army again, the Commissioners appointed to set out lands are hereby ordered, notwithstanding any former Instructions, not to set forth lands to such disbanded soldiers as they shall not be satisfied will really sit down and plant their lands. 4 Sept. *Ib.* f. 231.

725. INSTRUCTIONS FOR SIR ROBT. KING, SIR JOHN TEMPLE, BENJAMIN WORSLEY, HENRY MARKHAM, EDWARD ROBERTS AND RICHARD KINGDON, ESQS., OR ANY FOUR OR MORE OF THEM FOR LETTING AND SETTING OF THE LANDS AND HOUSES BELONG-

¹ The troops appointed to be disbanded at this time were Ludlow's, Coote's, and Pretty's regiments of horse; Ingoldsby's regiment of dragoons; and Axtell's, Stubber's and Clarke's regiments of foot, together with some non-regimental or "loose" companies—in all about 5000 men. (*Cf.* Thurloe, *State Papers*, iii, pp. 715, 728, 744.) It is interesting to compare the reluctance of the soldiers to "sit down," as noted in the above letter, with Henry Cromwell's confident prediction on 15 August: "The satisfaction held forth to those that now disband is so advantageous, that it hath made more men greedy of sitting down upon the terms offered them [?] than] to continue their employments." On 29 Aug., however, he wrote: "Never so great a work was performed with so much quiet. I believe we reduce near 5000 men, and as good soldiers as are in the three nations. I am afraid few of them will betake themselves to planting; if you could find out some employment for them abroad, it would be of good service to the public."

ING TO HIS HIGHNESS, THE LORD PROTECTOR, OR ANY OTHERWISE TO THE COMMONWEALTH, LYING IN THE RESPECTIVE COUNTIES OF DUBLIN, KILDARE AND CARLOW IN THE PROVINCE OF LEINSTER.

“ . . . You are hereby empowered only to treat and contract with persons that desire to take them, concerning the rent of such houses or lands for any term not exceeding fifty years, provided that such rent that shall be reserved thereon be equivalent to the rent payable for such houses and lands as the same were letten for or worth to be let in the year 1640, or at any time within six years before, provided that where leases are let for so long a term of years the lessees are to put in sufficient security for their undertaking to build within the space of seven years from the date of their contract upon such farms . . . a substantial and tenantable stone house . . . and that they do not alien or assign or otherwise dispose of their interest in such houses or lands to any Irish Papist or others without special order from the Lord Deputy and Council. . . .”

As to fairs, markets, fishings, tolls and other royalties and liberties you are to let the same for seven years or any longer term not exceeding twenty-one years, as you shall judge most for the public advantage.

No person is to be allowed to hold more than 2000 acres of profitable land.

No one person to become tenant to above 300 acres of profitable land within one mile of the City of Dublin, or any other city or town-corporate in any of the counties aforesaid. 4 Sept. Commissions etc. A/26. 24. ff. 115-116.

726. “ Whereas the late Commissioners of the Commonwealth (upon several considerations relating to the public weal of this nation) have thought fit to restrain and prohibit the exportation of divers of the commodities of this country into foreign parts, the Lord Deputy and Council taking into their consideration that granting the liberty of a free trade and exportation of several of those commodities would very much tend to public good, have thought fit and do hereby order and declare that the former restraint put upon tallow, butter, hides, beef, pork and cattle be wholly taken off. . . .” 5 Sept. Orders A/5. 5. f. 235.

727. Ordered that no officer or soldier do leave Ireland without licence from Henry Cromwell. 12 Sept. *Ib.* f. 233.

728. "Whereas by virtue of an Order of 18 June 1655, the Commissioners therein named are empowered to hear and determine the respective qualifications and claims of the Irish transplantable into Connaught until the 20th¹ of this inst. September; and upon further information given unto this Board that the transplanted Irish, who have claims and qualifications to be determined before the Court sitting at Athlone, do not proceed with that expedition that is expected to have their qualifications and claims finally adjudged there, it is hereby ordered that the said Order be continued and declared to be in force until 20th October next, and that from and after the said 20th September inst. all such Irish as have or shall have their cases depending and are yet undetermined in the said Court, do pay such fees, to be deposited in the Register's hands upon account, as shall be thought fitting by the Commissioners of the said Court for their proceeding in their respective causes, and as they shall judge to be equivalent and in proportion to the charge the State is now at in paying of salaries to officers and others that are necessarily employed in that Court, and it is further ordered that the Commissioners of the said Court do not for the future admit of any transplantable persons to prosecute their claims and qualifications in *forma pauperis*, but such as they shall judge to be really poor and unable to follow their occasions there." Kilkenny Castle, 18 Sept. Commissions etc. A/26. 24. f. 119.

729. "Upon consideration of the petition of Col. Pretty, Major Bolton, Capt. Alland and others in behalf of themselves and of the supernumeraries lately disbanded of the said Col. Pretty's regiment, setting forth, that whereas they received orders from the Lord Deputy to be satisfied their arrears, with others in the Waterford lot, in the baronies of Gaultiere and Middlethird, and had in pursuance of the said orders obtained certificates from the Commissioners for stating of Accounts at Dublin to be satisfied accordingly, yet that the said petitioners, coming upon the place, in expectation of receiv-

¹ 21st in the Order.

ing their arrears as aforesaid, found, contrary to their expectation, and contrary to the Rules which were to be observed in that case, several officers and several others who had bought up the Debentures of private soldiers, to have agreed for the casting of lots, and for the dividing of the said baronies among themselves, excluding the said petitioners, not only to their very great prejudice, but to the hindrance of their satisfaction at present, it is therefore thought fit and ordered that, forasmuch as the said petitioners had right to cast a lot for their arrears in the said baronies equal with others, forasmuch also as the time appointed by the Commission for the general casting of lots in the said baronies was not before the 20th of this inst. September, that therefore the said division or lots alleged to have been already cast in the said baronies as aforesaid be, and is hereby declared null and void ; and the Commissioners for setting out of lands in the said baronies are hereby authorised and required to come to a new lot at the time appointed in the said Commission, in which lots they are to admit all persons concerned, as well such who have received any additional order to be satisfied in the said baronies as those that were entered in the original list sent down with the said Commission. And it is further ordered that the said lots so drawn at the day appointed in the said Commission shall be held, and are hereby declared to be firm, valid and effectual, and to be conclusive to all persons, as if never any former lot had been made in the said baronies." Kilkenny, 19 Sept. Orders for Lands A/81. 41. ff. 140-1.

730. T. HERBERT TO THE COMMISSIONERS APPOINTED TO SET OUT LANDS TO THE DISBANDED PARTY IN THE COUNTY OF CORK.

" We hope that before this time you have proceeded in the setting out of lands to the disbanded officers and soldiers according to your Instructions ; and whereas, upon the petition of several of the said disbanded with the advice of the chief officers and soldiers, one month's half-pay for their subsistence [is allowed them], till they should be actually settled in possession of lands for their arrears, and having had consideration how the said half-pay should regularly be issued to the disbanded, it is thought fit and accordingly hereby ordered that you do

forthwith send to the Auditor-General of the army a particular and distinct list of the non-commissioned officers and soldiers, to whom you have set out lands in pursuance of your said Instructions, taking care that none be included in the said list but such as were lately actually disbanded and included in the muster of August last, because the benefit of the said half-pay is only to extend to such and is to issue on your certificate as aforesaid. . . ." Kilkenny, 21 Sept. Letters of Lord Deputy and Council A/30. 28. f. 94.

A like letter *verbatim* was sent to the Commissioners at Waterford, Wexford, Kilkenny, East and West Meath, Limerick and Kerry.

731. Ordered that sums ranging from £30 to £5 be offered for the heads of certain Tories¹ that hold out in the fastnesses of Wicklow and Wexford. 3 Oct. Orders A/5. 5. f. 241.

732. Ordered that it be referred to a full Council at Dublin, whether the desire of the disbanded soldiers, to be set in County Wexford, may be granted to retain a number of Irish husbandmen and servants (of whose faithful demeanour towards the Commonwealth a good account may be given) until they are able to dispense with them. 3 Oct. *Ib.* f. 245.

733. Ordered that a Committee be appointed "to consider what they conceive fit to be presented unto this Board for the present and future encouragement of the plantation of Ireland, and of removing of what obstructions may be at present therein, as also how the barbarous custom of coshering and promiscuous lodging together of both sexes of the Irish, with other lewd and superstitious practices, that are in opposition to the custom of the English in this nation may be prevented and reformed for the future, and likewise how the Irish may be brought to conform

¹ Among these Tories, for whom head-money was offered, were Donnogh O'Derrick, commonly called "Blind Donnogh" (£30), and his lieutenant, Dermot Ryan (£20), mentioned below (No. 816). The Order seems to have been called for owing to the daring capture and murder by "Blind Donnogh" of eight of Sir William Petty's surveyors at Timolin on the borders of Kildare and Wicklow. Owing to the exertions of Col. Petty, Governor of Carlow, "Blind Donnogh" was shortly afterwards captured. (*Cf.* Prendergast, *Cromwellian Settlement*, pp. 206, 343.) Ryan escaped and only surrendered on favourable terms in January 1657. See below, pp. 591, 649.

to the English nation in their apparel, speech, names etc., as also how the Irish may be persuaded and won to hear the preaching of the Word and brought to embrace the truths of the Gospel and to abhor the error of Popery." 9 Oct. *Ib.* f. 247.

734. Ordered that all rents due since May last be paid to the disbanded and reduced soldiery. 12 Oct. *Ib.* f. 249.

735. Ordered that the land excise be farmed until May-day next and no longer, according to Order of the Lord Protector. 12 Oct. *Ib.* f. 247.

736. "Whereas by an Order of this Board, bearing date 23rd July last (in pursuance of Articles made with the inhabitants of the town of Galway, bearing date 5th April 1652) among other things, it is thereby provided that such person or persons, that were to remove out of the said town should be satisfied the full value of such castles and houses of right belonging unto them within the said town, according as indifferent men, mutually named by the said inhabitants and such as shall be entrusted by the State should agree upon." In pursuance thereof Col. Richard Lawrence and Thomas Richardson¹ are nominated the persons on behalf of the Commonwealth. 18 Oct. *Ib.* f. 254.

737. Order to continue the imprisonment of Col. Nicholas Kempston,² committed to the custody of the Serjeant-at-Arms on the 14th inst. on suspicion of being privy to the departure of Lt.-General Ludlow. 19 Oct. *Ib.* f. 254.

738. Ordered that it be recommended to the Mayor of Dublin for the time being to cause public notice to be given the next

¹ Instructions to same, No. 745.

² Col. Nicholas Kempston, or Kempson, was Ludlow's brother-in-law, and like him was a stout republican. He purchased Luke Dillon's estate in county Cavan from Capt. Fenwick for £60, it being worth £300 a year (*Cal. State Papers, Irel.*, 1660, p. 55), and though not a Quaker himself he was a man of sufficiently tolerant principles to allow William Edmundson to establish a colony of that sect on his property. He opposed the Restoration; but his name was included in the General Pardon, and though subsequently arrested in 1662 on suspicion of being concerned in a plot to upset Government, he seems to have been speedily released. See also Firth's *Ludlow's Memoirs*, App. i, vol. ii, pp. 443-445.

Lord's Day in the respective churches in Dublin that Tuesday 23rd inst. be observed, as formerly, in commemoration of the signal deliverance of the Lord upon that day, by discovering the bloody design of the Irish rebels to extirpate the British and Protestant Interest out of this nation and in particular of this city from the rage and cruelty of the said bloodthirsty rebels, for which mercy due prayers are to be returned unto the Lord. 19 Oct. *Ib.* f. 255.

739. "Whereas by a Declaration from this Board dated 23rd May last, all persons of the Popish religion were required to remove by the 20th October inst. out of that part of the County of Dublin, that lies upon the south side of the Liffey, and out of the counties of Wexford, Wicklow and Kildare, and so much of the County of Carlow, as lies on the north side of the river of Barrow, upon further consideration of some late petitions presented by the Protestant proprietors of the said five counties, it is thought fit to allow some time for the stay of such tenants and servants as belong to the petitioners until further order, and as shall be conceived fit and consistent with public good." Referred to Sir H. Waller, Sir John Reynolds, Col. Hewson and Major Morgan to peruse the Declaration of 23rd May and to consider what further qualifications it may be desirable to be imposed upon such Irish as aforesaid. 19 Oct. *Ib.* f. 257.

740. Ordered that the Commission to the Commissioners at Athlone be renewed till 10 February 1655[-6]; to those at Loughrea till 20 Jan. 1655[-6]. 19 Oct. Commissions etc. A/26. 24. f. 120.

741. Ordered that no Irish be allowed in Dublin Castle after sunset. 25 Oct. Orders A/5. 5. f. 258.

742. Ordered that all rents and fee-farms and other profits belonging to the late King in this dominion, and all rents and other duties and profits belonging to the late archbishops, bishops, deans, deans and chapters, prebends and all other ecclesiastical possessions belonging to that Hierarchy, and now divested and settled and come unto his Highness, the Lord

Protector and Commonwealth, that are due and ought to have been paid on 29th September last past or since and not hitherto paid unto such officers as by law ought to receive the same be forthwith paid. 26 Oct. *Ib.* f. 271.

743. Ordered that Aldermen Thomas Hooke, Daniel Hutchinson and John Preston be appointed treasurers for receiving the collection on behalf of the Waldenses.¹ 27 Oct. *Ib.* f. 265.

744. " Upon reading a petition presented to this Board by the freemen, natives and inhabitants of the town of Galway, and consideration had of the several allegations therein. As to that part of the said petition concerning the remittal of the £5000 payable by them to the Commonwealth in pursuance of their Articles, the Council, finding the said £5000 to be legally due to the State, upon a mutual agreement, do not think fit to remit the said money, but expect that the petitioners do pay the same in due time. Concerning the lands due to them in pursuance of their qualifications, which cannot (as is alleged) be ascertained until the resolution of this Board were known concerning the said £5000, and desiring that the Commissioners at Athlone, appointed to adjudge the Claims and Qualifications of the Irish, might proceed to the adjudging of their proportions respectively, it is thought fit and ordered that the said Commissioners for adjudging of Claims and Qualifications of the Irish as aforesaid do proceed to adjudge the respective claims and qualifications of the said persons, according to their Instructions, to the end such proportions of land may be set out to them as shall appear to be due to the said persons respectively. And concerning their desires of a further time to stay in the said

¹ The exact amount contributed in Ireland towards the relief of the Waldenses and transmitted by Bill of Exchange to England at the end of January 1656 by the treasurers was £1097. 6. 3. (Reid, *History of the Presbyterian Church*, ii, p. 218 and cf. Thurloe, *State Papers*, iv, p. 484.) It may be, as Reid remarks (*l. c.*), that "Cromwell's vigorous and successful interference on behalf of this persecuted people was one of the noblest enterprises of his Government"; but for the Irish the Waldensian business was certainly a misfortune inasmuch as it provided Fleetwood and the army party with an argument for a strict observance of the articles of transplantation. (See particularly a letter from several officers in Ireland to the Protector, May 1655, in Thurloe, *State Papers*, iii, pp. 466-467: "Let the blood of Ireland be fresh in your view, and their treachery cry aloud in your ears . . . and let not such be left untransplanted here, or unminded in England, whose continuance amongst us do palpably hazard the very being of Protestant interest in these nations.")

town the Council refer the petitioners to the rules and instructions already given therein." 28 Oct. References of Petitions. A/8. 8. f. 28r.

745. INSTRUCTIONS FOR THE GOVERNOR OF GALWAY FOR THE TIME BEING, COLONEL RICHARD LAWRENCE AND THOMAS RICHARDSON ESQ. COMMISSIONERS APPOINTED TO SURVEY AND APPRAISE THE HOUSES IN GALWAY OR ANY PART THEREOF.

Proprietors of houses in Galway, that desire it under their hands, to have liberty, until 10th November 1656, to make sale of their interest there to any Protestant, that hath not been in arms against, or otherwise are disaffected to the Commonwealth. Such sales to be by deed and enrolled in the Court of Chancery, expressing upon what considerations really and *bona fide* such sales are made, to the end the Commonwealth's right to the third part may be certainly known and received.

Such houses as shall not be sold by the proprietors before 14th December 1655, may be disposed of for a year's time by the Governor to any Protestant, not having been in arms against the Commonwealth, provided that the said Governor do engage such as shall take the same that no waste or spoil be committed on the said houses that stand empty or undisposed of by the soldiers or others. 30 Oct. Commissions etc. A/26. 24. f. 122.

746. LORD DEPUTY AND COUNCIL TO THE LORD PRESIDENT OF CONNAUGHT.

"Taking into consideration the extraordinary strength of the town of Galway and how common an intercourse the inhabitants of that place have, for many ages, held with the dominions of the King of Spain, more than with other countries, and how probable it is that the Spaniard (in this difference betwixt his Highness and that State¹) may apprehend more than common hopes from thence to prosecute his designs, and under colour of help to the pretended King of Scots (who no doubt is by this enmity active to take his advantage) will use his utmost endeavours to the prejudice of this Commonwealth; for prevention whereof, it is held advisable that the said town of Galway² be forthwith

¹ See Thurloe to H. Cromwell, Thurloe, *State Papers*, iv, p. 100.

² See H. Cromwell to Thurloe, 14 Nov., in Thurloe, *State Papers*, iv, 198: "We have cleared the town of Galway of the Irish, and shall have a special care of that place."

cleared of all the Irish and other Popish inhabitants that at present do inhabit therein ; and in order thereunto your Lordship's speedy and effectual care is desired for the speedy removing all the said Irish and other Papists out of the said town, that the better accommodation may be made for such English Protestants, whose integrity to the State is well known, and may be conceived fit to be trusted in a place of such concernment." 30 October. Letters of Lord Deputy and Council A/30. 28. f. 103.

747. T. HERBERT TO THE COMMISSIONERS FOR QUALIFICATIONS AT ATHLONE.

" Gentlemen, His Highness, the Lord Protector and Council, for certain reasons their Honours moving, have thought fit and required us to signify unto you that it is their Lordships' pleasure that you do adjourn your Court to 10th February next, and yourselves to repair hither. . . ." T. Herbert. Undated. *Ib.* f. 104.

748. Ordered that a number of the late disbanded soldiers, not exceeding 1500 (above the establishment of the army) be forthwith entertained into the army,¹ and that the Commissioners-General of Musters do allow thereof. The Auditor-General of the army to take care that warrants be prepared for their half-pay distinct from the rest of the army during the time of their being mustered. 2 Nov. General Orders A/5. 5. f. 274.

749. " When we reflect upon the great and wonderful appearances of the Lord, multiplied on the people of this Commonwealth in overthrowing the powers and designs of the enemies of his Name and people, we cannot but think we may apply that Scripture, 33rd Deuteronomy last verse—' Happy art thou O Israel: who is like unto thee, O People saved by the Lord ' etc., and our souls do desire that hereupon the people of these islands might reap the fruit thereof, according to the true intent of the Prophet in the latter part of the cvii Psalm—' The Righteous shall see it and rejoice, and all iniquity shall stop her mouth. Whoso is wise and will observe those things, even they shall

¹ As recruits for Jamaica.

understand the loving kindness of the Lord.' But instead hereof we wish we had not cause to fear (from the evil of our own hearts, as also our observation of the great shortness in all sorts of men in want of love to God and one another) that the Lord may justly destroy us after he hath done us good. And considering how the Lord hath handed to our brethren of Savoy (professors with us of the same common faith) a great and sore cup of affliction, by covering them (as it were) with the shadow of Death, and suffering the enemy of our religion to prevail against them, we cannot but think the same justice is due to us, and though we are parted from them by situation, yet we cannot be secured from such like scourges if we go on in our provocations. Upon which we have thought it our duty to call upon all that fear the Lord in this city to a solemn seeking of the Lord on Thursday, 8th inst. . . ." 3 Nov. *Ib.* ff. 275-6.

750. Ordered that Mr John Stephens, Master of the Free School in Dublin be dismissed his post, in that he "hath been guilty of several misdemeanours, altogether unbecoming a man of his profession, as in spending most part of the Lord's Day in lying abed, frequenting vain company at unseasonable hours, drinking immoderately and neglecting to perform the duties of Christianity, both in his family and school. . . ." 5 Nov. *Ib.* f. 274.

751. LORD DEPUTY AND COUNCIL TO SIR CHARLES COOTE.

"We have perused your letter of the 7th of this month directed to his Excellency, the Lord Henry Cromwell, whereby we find how far you have proceeded (pursuant to our desires) in clearing the town of Galway (for the reasons therein specified) of the Irish inhabitants, and of the difficulties you met with in that affair, which inclined you to dispense (for some time) with some few persons, who, through extreme age, sickness or the like, and through the unseasonableness of the weather, were disabled to remove; and that, nevertheless, the security of the place was well provided for, which having considered of we not only approve of, but withal return thanks for what you have done therein, withal desiring your Lordship to take care the people so dispensed with do remove so soon as the season serves and that they are recovered, it being our desire that so consider-

able a place be entirely inhabited by Protestants and persons well affected to the Interest of the Commonwealth. We likewise recommend to your Lordship's care that in this interim, until the town be better inhabited, no spoil be made of the houses within the town, either by the soldiers or others, who without due care will be apt to prejudice the same upon small occasions, as also that the said houses be kept staunch and in good repair as well as may be, that they may not only be kept up but continued in a condition to be tenanted at [the] considerable rents which that place yielded in former times more than any other city of this nation." 14 Nov. Letters of Lord Deputy and Council A/30. 28. ff. 105-6.

752. Ordered that the Judge Advocate¹ do proceed against the following persons for refusing to remove out of Dublin—Mr Bartholomew Hodges and Frances his wife, Margery Burne, Rose Lawless, Mrs Eliz. Baggot, Joan Luttrell, Philip Strong an ancient man, Elinor Byrne, Gyles Lawlor, Joan Burne, Mary Maloan widow, Bryan Feeny and his wife, Joan the wife of Cuthberd Orde. 17 Nov. Orders A/5. 5. f. 293.

753. INSTRUCTIONS FOR SIR C. COOTE, LORD PRESIDENT OF CONNAUGHT OR THE GOVERNOR OF GALWAY FOR THE TIME BEING (*inter alia*).

"4. The said Governor to keep within the said town of masons, labourers and other handicraftsmen of the Irish nation to the number of twenty (until 20th May next), the same to be such as he shall conceive to be most inoffensive, and that may do the most faithful service.

"5. The said Governor to take care that the priests or friars that are now imprisoned within the said town, that are above the age of forty years, be forthwith banished into France, Portugal or other neighbouring kingdoms in amity with this Commonwealth, and that the rest of the priests, that are under the age of forty years, be forthwith shipped away for Barbados, or other American plantations; and likewise to give public notice that in case any of the said priests and friars shall at any time return into this nation, without special licence, that they shall

¹ Dr Philip Carteret.

be proceeded against according to the laws now in force." 19 Nov. Commissions etc. A/26. 24. f. 124.

754. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" Your letter of the 23rd October last came lately to us, and as to that business about Lt.-General Ludlow we shall now only add, to what we formerly mentioned, that we are very sensible of that trouble your Lordship mentioned to be upon you, for that he did go into England under your Lordship's protection, so as some reflection might seem to be on your reputation, which we hold ourselves to be always obliged to be much more sensible of than of our own or of any concernment of our own. But, my Lord, though that licence and protection of your Lordship's¹ was under consideration before us, when we ordered his restraint, yet that that then did satisfy us was, that after that licence and protection there came also another command from his Highness and Council prohibiting his going into England,² whereof the said Lt.-General had notice, and thereupon he was, with all civility and tenderness to him, desired not to go over until your pleasure was further known, and, in consideration of his civility there unto us, we laid no further restriction upon him, and we, for our part, were very confident that he would not have gone away, though we were free that his lady and family might go, and did proffer any ship in the harbour to attend her passage; and so we rested in that consideration until we had notice (it being the day after his departure) that he was gone, and not knowing how affairs might stand in England, but finding he was suddenly gone without our notice, we did hold it our duty to make stay of him where he could be found, until his Highness' pleasure were known therein, which we may truly say was done out of sense of our duty and to answer the trust reposed in us, and not out of any intention to put any the least prejudice to the said Lt.-General,

¹ See Fleetwood to Thurloe, 29 Aug. 1655, and Ludlow's Engagement of the same date in Thurloe, *State Papers*, iii, pp. 743-744.

² But see above (No. 723), where the prohibition is dated 25 Aug. and is evidently the order alluded to by Ludlow in his *Memoirs*, i, p. 419, and not that of 24 April. It follows, therefore, if the statement in the above letter is true, that between 25 Aug. and 15 Oct. another order must have arrived, of which there is no trace. On the other hand, if no order arrived after the 29th, then Ludlow's statement must be accepted that he had Fleetwood's permission to leave Ireland.

otherwise than by stay of him, until his Highness were acquainted therewith, and much less do the least act that might seem to reflect upon your honour. . . ." 28 Nov. Letters of Lord Deputy and Council A/30. 28. f. 107.

755. An establishment to pay for a new militia of horse and foot thought fit and necessary to be raised and settled for securing of plantations and other parts of the nation, to commence the 28th October 1655, and to continue till further order.

Horse. A troop of horse to consist of 60 horsemen besides officers. For one month—captain £3. 16. 11; lieutenant £3. 1. 6½; 2 corporals, each at 18. 5½ per month, £1. 16. 11; 60 troopers (15. 4½ each), £46. 2. 6. Total, £54. 17. 10½. For five such other companies, £274. 9. 4½. Total of horse, £329. 7. 3.

Foot. A company of foot to consist of 100 soldiers besides officers—captain £2. 6. 2; lieutenant £1. 16. 11; ensign £1. 8. 0; 2 serjeants (each 12/-) £1. 4. 0; 3 corporals (each 10/-) £1. 10. 0; one drummer 10/-; 100 soldiers (each 8/-) £40. 0. 0. Total, £48. 15. 1. For five such other companies, £243. 15. 5. Total of foot, £292. 10. 6. Total of horse and foot, monthly £621. 17. 9; quarterly £1865. 13. 3; for 13 months £8084. 10. 9.

"Instructions to be observed by the militia of horse and foot to be raised as aforesaid:—

"1. That the said troops and companies be once every three months mustered by the Muster-Master of the forces in the county wherein they are settled, who is to take care that the number of any one troop or company exceed not the above establishment; that no persons be mustered in the said militia save such as were of the late disbanded forces and are fit to do duty, and resolved to sit down and plant their lands, and such others (not lately disbanded) as the Commander-in-Chief of the forces in Ireland shall think fit to add; every such person so mustered being provided with horse and arms respectively as other horse and foot soldiers of the standing army. To which end the late officers of the respective disbanded troops or companies, who have received the arms of their soldiers at their disbanding, are hereby required to deliver such arms so received to the officer commanding each troop and company of the said

militia, to be restored to the said soldiers so serving in the militia."

2. The said militia to be duly exercised.
 3. To be kept in order and not allowed to oppress the country.
 4. All persons offending to be tried by the laws of war.
- Commissions etc. A/26. 24. ff. 131-2.

756. T. HERBERT TO RALPH KING.

"The Council, finding it high time to proceed upon letting leases of the Commonwealth's lands for some considerable time, have thought fit to nominate and appoint you to act with some others in that affair, according to such instructions as will be prepared. Dublin is conceived the fittest place for those Commissioners to sit in. I am commanded to acquaint you therewith and that it is desired you would make your speedy repair hither, that the public service may not suffer the least delay by the absence of any of you." 3 Dec. Letters of Lord Deputy and Council A/30. 28. f. 108.

757. SAME TO CHARLES WHALLEY ESQ. AND CAPTAIN WHITWORTH.

"His Highness' Council here, taking into consideration the sad condition many distressed orphans are reduced to, through the delinquency of their parents by acting with and adhering to the Irish against the English Interest in the late horrid Rebellion of this nation, have, nevertheless, compassionate thoughts towards their children, especially to their souls, which through the popery of their parents are misled and likely to run in their steps, unless the Lord, in mercy, discover some good means for prevention, by educating them where they may be virtuously bred where the truth is professed. I am therefore commanded to signify unto you that if you please to confer with Mr Mayor of Chester and some country justices thereabouts concerning some expedient in this case, and that if you please to send hither a dozen or twenty poor English children, that either are upon the charge of the parish, or whose parents are unable to provide for them, the Council will give order for their being received here and carefully provided for, by being put out to some fit trade or as

may be conceived meet ; and in exchange will send hence unto you an equal number of Irish children (none under nine years old), who shall be apparelled here, upon hopes that you will take the like care for binding them apprentices at Chester or elsewhere, or otherwise disposed of in country affairs as in your wisdom shall be judged fit. This is a work of mercy and truly may be the saving of souls, as well as provision for the bodies of those who may otherwise be neglected. Your speedy answer is desired." 4 Dec. *Ib.* f. 110.

758. " The Council taking notice that of late a great number of people are come over hither out of England and Wales upon the account of planting, or otherwise of disposing of themselves, but reduced to very great extremity by reason of the charge they have been put to in their travel to the seaside, and of their long stay there, occasioned through contrary winds, which (as is informed) hath exhausted all or most part of their substance," have in tender consideration whereof appointed a committee to consider how they are to be disposed. 4 Dec. Orders A/5. 5. f. 302.

759. Ordered that certain prisoners, some of them priests, and twenty women be delivered to Captain Norris, merchant, to be transported to Barbados. 4 Dec. *Ib.* f. 303.

760. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" Whereas we are informed that the Protestant proprietors of lands in this nation are now soliciting before his Highness and Council to be discharged of their fee-farm rents, for five years or some other time, and that it is expected that we here on the place should give our advice therein. First, We hold it our duties to acquiesce in whatever his Highness shall command us therein, and shall rejoice that any favour is or shall be extended to the good people of this nation, though it be to the lessening of his Highness' revenue, if his Highness shall require the same, well knowing his Highness' wisdom will find out some better ways and means to supply the treasury elsewhere. But as to that, that is now desired by them we do find that in former rebellions (as in those of Tyrone and others in Queen Elizabeth and King James'

reigns)—we do find that which then was sued for and then granted from the Crown was, that the owners and proprietors of lands, that were driven from them by the rebels, might compound for all their arrears incurred during the rebellion in some moderate and reasonable manner ; and, because there was little money, the Commissioners had direction to take part of their lands to the Crown in satisfaction for those arrears ; and this Commission¹ was granted and executed about the 7th year of King James, when composition was made for all arrears due at Queen Elizabeth's reign and in the beginning of King James' reign. But now all arrears of rent are already remitted, both which were due at the breaking out of the Rebellion and since until 25th March 1655.

"2ndly. The Protestant proprietors of this nation that do sue for this remittal of rents did in 1643 petition the late king to be remitted of their arrears from the breaking out of the Rebellion and for the time then to come for two years, which was granted to them and passed by Act of Parliament then only to the year 1645 ; but the Protestant proprietors have enjoyed their lands here ever since the laying down of arms by the rebels and the war declared to be at an end, which is now two years ; and in some counties and in some parts of this nation the lands for four or five years last past have yielded as much rent as ever they did in times of peace."

3rdly. We have already remitted the rents due from waste lands till they be planted.

4thly. We do not find the Protestant proprietors willing to remit their tenants' rents, although very many poor people are concerned therein.

5thly. If it be granted to Protestant proprietors to have their rents remitted as they desire, shall the same privilege be allowed to Irish rebels who retain part of their lands ? If not, shall the same be allowed to Protestant proprietors who have acted on the side of the king in the late wars ?

6thly. After the elapse of those fourteen years it is very

¹ A commission for collecting the King's debts was first issued on 12th April 1603 (renewed 1604 and 1608). The clause referred to reads: "to conclude with persons, disabled to make present payment of the monies owing from any lands etc. to be bargained and sold unto his Majesty in fee simple, or for the due satisfaction of any debts, allowing them in recompense of said lands etc., twenty years' purchase or under and not above" etc. See Erek, *Repertory of Patent Rolls*, p. 19, and cf. *Cal. State Papers, Ire.*, James I, 1608-1610, p. 323.

difficult to find out the certainty of the fee-farm rents due to his Highness : the difficulty will be all the greater if they be remitted for five years longer.

7thly. Shall Protestants who have got possession of rebels' estates by virtue of patents, mortgages and the like have their fee-farm rents remitted ?

8thly. The Adventurers and soldiers have indeed by his Highness' grace such immunity for five years ; but their case is different, being obliged to cultivate their lands, while very many of the Protestant proprietors do very much press to have their Irish tenants continued on their estates, though it be in counties and places not safe for the Irish to continue in. . . .

" Lastly, we shall only add that, as to the proposal that the lands within one mile of the Shannon and County of Leitrim might be an additional satisfaction to the arrears of the disbanded in 1653, we have had conference with the Commissioners at Athlone and some of those of Loughrea, and it is verily apprehended by them, being on the place, that there will be a great falling short in giving satisfaction to the Irish and therefore there will be a necessity of employing all the lands in Connaught and County of Clare, excepting the garrisons and excepting the lands within one mile of the garrisons and places appointed for English plantation,¹ and therefore till there be further trial how far the lands will hold out, we do not think safe to advise that there be any disposal made as yet of those lands to other uses : but those lands in Leitrim and within a mile of the Shannon, shall be last disposed, and if there be any overplus we humbly conceive that they cannot be better given than the way proposed." 5 Dec. Letters of the Lord Deputy and Council A/30. 20. ff. III-II4.

761. T. HERBERT TO THE GOVERNOR OF BARBADOS.²

" His Highness' Council for the affairs of Ireland have ordered Captain John Norris to take aboard his ship divers Irishmen and women (such as by the Justices of Peace are found to be vagabonds and idlers) to be exported to Barbados or some other the English plantation islands of the Caribbees or thereabouts, and also three Popish priests, who are likewise to be there landed.

¹ *Sc.* for the transplanted Irish.

² Daniel Searle.

It is the desire of the Council that care may be taken in especial concerning those three priests, that they may be so employed as they may not be at liberty to return again into this nation, where that sort of people are able to do much mischief by having so great an influence over the Popish Irish here, and of alienating their affections from the present Government." 8 Dec. *Ib.* f. 115.

762. Whereas by an Order of this Board, bearing date 22nd November last, it was referred to Col. Robert Phaire, Vincent Gookin Esq., Major Peter Wallis, Dr Worth¹ and others to examine the truth of the allegations of the respective petitions of the ancient inhabitants of Cork, Youghal, Kinsale and Bandon, and not being able to make return of how many of the said petitioners have manifested a constant good affection by 1st December, the time is hereby ordered to be extended to 1st March next. 10 Dec. Orders A/5. 5. f. 315.

763. THE COUNCIL TO COLONEL ROBERT PHAIRE, GOVERNOR OF CORK.

"Your letter of the 3rd inst. was received the 8th, whereby we perceive that some Tories came from the County of Waterford into the County of Cork, who have done much mischief there, by robbing and taking divers Englishmen prisoners, which hath occasioned you to commit many of the Irish, who (as you have just cause to suspect) have harboured and relieved those Tories, and that you have brought some of those Irish to a court martial and have condemned two of them to be hanged, six to the islands and five whole villages to transplant; and thereupon desiring to know our pleasure whether the said sentence should be put in execution. To which we think fit to return you no other answer than this, that, not well knowing what Rules and Instructions have been given to authorise your proceedings in this or business of the like nature, we have nothing to interpose or say therein, save that it is left to your care to pursue such warrantable orders as you have to proceed upon, and especially as to what concerns the lives of those two persons, that have been con-

¹ Dr Edward Worth, a native of county Cork, had been Dean of Cork before the Rebellion, but, like Dr Henry Jones, he accepted office under the Commonwealth, and, reconforming at the Restoration, was on 27 January 1661 consecrated Bishop of Killaloe. See Ware's *Bishops and Writers*.

demned to death, wherein, if anything appear doubtful to you, you may do well to secure them in prison, to receive their trial at the next assizes according to common law ; and for those you have adjudged to be sent to the plantation islands, and those you have sentenced to be transplanted into Connaught, we have nothing to oppose your proceedings therein, but leave that to your discretion and Rules given you in such cases and as may most tend to the preventing such evils for the future and conduce to the peace and security of the country." 10 Dec. Letters of Lord Deputy and Council A/30. 28. ff. 115-6.

764. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.¹

" In former addresses to your Lordship we have represented the miserable condition of this country through the overspreading of base Peru and other like money, which like a cancer hath eaten out the good, and that we can find no other nor better expedient for a remedy than by a mint, which we humbly request your Lordship's care in. . . ." 12 Dec. *Ib.* f. 118.

765. Ordered that no glebe-lands in Ireland be disposed of to the soldiery or others in satisfaction of arrears. 12 Dec. Orders A/5. 5. f. 314.

766. Ordered that all such arrears as are due to any widows, in right of their husbands for service before or since June 1649, and which do exceed £150, are not to be judged to be comprehended within the Act, nor to receive satisfaction in the baronies thereby set apart to the widows etc. ; and that of such arrears, whose total sum exceeds not £150 for arrears before and since June 1649, only that part of the same that is due for service since 5th June 1649 is satisfiable within the widows' baronies by virtue of the said Act. 13 Dec. *Ib.* f. 316.

767. Ordered that all Quakers² be apprehended. 17 Dec. *Ib.* f. 319.

¹ Printed in full in Thurloe, *State Papers*, iv, p. 307.

² For an interesting and detailed account of the sufferings of the Quakers in Ireland, whose persecution began with this order, under the Commonwealth, see *Cal. State Papers, Irel.*, 1669-1670, pp. 373-377.

768. THE COUNCIL TO SIR CHARLES COOTE.

"By former letters we have desired your care in the quickening the Commissioners appointed to discriminate the delinquency of the Irish in the Province of Connaught and County of Clare, that without further delay they should attend the prosecution thereof, their remissness and absence from that service having proved of exceeding great prejudice to the Commonwealth. And understanding since by the Commissioners at Athlone, that in the progress of that Court for the determination of the qualifications and claims of such persons whose causes have come before them, they have had frequent occasion to take notice of the want of many returns of delinquencies or discriminations from several counties, whereby, for want of such evidence in behalf of his Highness and the State, in the due distinguishing of the respective Delinquents according to the Qualifications in the Act, the public business hath been retarded, and thereby they were not fitted to come to a hearing in sundry causes depending before them, which being duly weighed, we have thought fit hereby to desire you to take notice thereof, and to send speedily unto the said Commissioners entrusted with that business and to cause them forthwith (by all due ways and means) to make inquiry concerning the respective demeanours and actings of the said Irish during the late horrid Rebellion, by examining upon oath such as can give any evidence for the Commonwealth, and in especial concerning such of them as were proprietors in 1641, and of such as claim any estate from them or any of them, or in reversion after them or any of them, and to proceed according to such rules and interrogations as were dated 16th November 1653, and issued by the late Commissioners of the Commonwealth. The proceedings of the Commissioners upon this affair within the Province of Connaught and County of Clare depend wholly upon your circumspection, so as the care and despatch thereof is earnestly recommended unto you by yours etc." 17 Dec. Letters of Lord Deputy and Council A/30. 28. f. 119.

769. Ordered that Christmas holidays and other Popish superstitions be not observed. 21 Dec. Orders A/5. 5. f. 321.

770. Ordered that post stages¹ be settled by Evan Vaughan in Ireland, for which he is to receive payment. 24 Dec. Commissions etc. A/26. 24. f. 144.

771. Ordered that a Committee be appointed to examine what passed between Capt. Samuel Grymes and others at or near the Council Chamber door, concerning some tenets in religion, and whether any words were then and there uttered which were derogatory to the honour of God, and disconsentant to the revealed truth of his Word. 25 Dec. Orders A/5. 5. f. 322.

772. T. HERBERT TO THE COMMISSIONERS FOR SETTING OUT LANDS TO THE DISBANDED SOLDIERS IN THE RESPECTIVE COUNTIES OF KILKENNY, LONGFORD, CAVAN, FERMANAGH, MONAGHAN, SLIGO, CORK AND THE BARONY OF ATHERDEE.

Complain of their dilatoriness in delivering a return of all such debentures as had (according to Rule) been delivered them by the respective officers and soldiers (or their agents and attorneys), who have been disbanded or reduced in pay and have had forfeited lands set out unto them. 26 Dec. Letters of Lord Deputy and Council A/30. 28. f. 121.

773. This Board taking into consideration the great increase of Romish priests in this nation, notwithstanding the care that hath been from time to time used by those in authority for prevention thereof, which tends not only to the seducing the Irish from embracing the Protestant religion, but likewise to the infusing of dangerous and rebellious principles in them, require

¹ The public post and post-stage system between England and Ireland dates from 1634; but it was very inefficient and naturally ceased with the Rebellion. The appointment of Evan Vaughan was the first attempt to organise a proper system, and by general admission the arrangements made by him gave great satisfaction (see Affidavit of William Brand in *Cal. State Papers, Irel.*, 1662, pp. 682-684), letters being delivered regularly and safely; and gentlemen enabled to post from one part of the country to the other very conveniently. Vaughan's appointment, however, gave offence to Thurloe (*Thurloe, State Papers*, iv, p. 706), who regarded it as an encroachment on his patent as Controller-General of the posts, though probably his real objection was that it rendered the inspection by him of suspected correspondence difficult. It was no doubt this latter reason which caused him in 1658, when things were beginning to look doubtful for the Commonwealth, to supersede Vaughan by Samuel Bathurst, though in the end he consented, probably in consequence of the strong testimonials in Vaughan's favour that reached him from Ireland (see *Cal. State Papers, Irel.*, 1647-1660, pp. 686-687, 688-689), that both should share the office.

the Judges to consider and certify whether legally the Popish inhabitants of any barony, where a priest is taken and apprehended, may be made liable to such penalty or fine as shall be conceived fit to be imposed on them as persons offending against the law. 28 Dec. General Orders A/5. 5. f. 324.

774. INSTRUCTIONS FOR SIR JOHN REYNOLDS.¹

1. You are to know his Highness' pleasure concerning the Proposals formerly sent to Mr Secretary Thurloe, concerning the dispensing with the Irish upon certain qualifications therein mentioned, and to desire their sense thereupon and to advise with the Lord Deputy about the same.

2. To inform his Highness with what the army is at present in arrear of pay, and what the necessities of this much wasted country are.

3. You are to desire his Highness that the Courts of Justice in Dublin may be filled with Judges, there being but one in each Court at present.

4. You are to desire a speedy despatch of the Commission and power to be given by his Highness to his Council here for letting of lands for some considerable term, as hath been formerly proposed.

5. To desire his Highness' pleasure about the settling of the Treasury, the constituting the Treasury being reserved to his Highness' own disposition by the 16th Instruction.

6. Concerning the erection of a mint, there being no other expedient to prevent the increase of base coin in this nation.

7. Commerce fails from lack of encouragement, through the double custom and excise paid by the merchants for their commodities in both nations; as also how honourable and advantageous it would be if some public invitation and encouragement were by his Highness held forth for Protestant strangers to repair to Ireland to plant there.

8. To know his Highness' pleasure regarding the granting of charters to corporations, applications being made with much importunity for their restoration.

9. To know his Highness' pleasure for supply of the monthly charge of the army here, without troubling his Highness and Council unseasonably for procuring the same.

¹ Cf. Thurloe, *State Papers*, iv, pp. 407, 478.

10. That owing to the great transport of Irish into Spain etc. a great number of children are left distressed : to consult his Highness regarding giving them a Christian education and providing for them here. 6 Jan. 1656. Commissions etc. A/26. 24. ff. 134-5.

775. THE COUNCIL TO THE LORD PROTECTOR.

“ Having received your Highness’ letter of 3rd December last, requiring us to set out unto Robert Reynolds ¹ Esq. 1000 acres of forfeited lands in the County of Louth, over and above the 2000 acres formerly set unto him within the said county, and to inform your Highness of our proceedings therein, we have in observance thereof ordered him the immediate possession . . . according to your Highness’ former order. . . . Nevertheless, we hold it our duty to represent unto your Highness that, by the Act for Satisfaction of Adventurers etc., it is declared that in case the moiety of the ten counties (which are to be set for satisfaction of Adventurers) shall not be sufficient to satisfy their debt, that then the remainder thereof shall be satisfied by such lands as are forfeited in the County of Louth (the Barony of Ardee excepted) ; so as to dispose of any lands within the County of Louth to any Adventurer, until it shall appear how far forth the said moiety of the ten counties will hold out to satisfy the Adventurers respectively (the County of Louth being but additional security), it may (as we humbly conceive) become a precedent if not of public prejudice, yet of such a consequence as may invite the importunity of others to obtain like favour from your Highness, to your excessive trouble, and not without the dissatisfaction of many. . . .” 7 Jan. Letters of Lord Deputy and Council A/30. 28. f. 125.

¹ Robert Reynolds was the brother of Commissary-General John Reynolds. He was educated as a lawyer, sat in the Long Parliament for Hindon, Wiltshire, and in 1642 he was sent with Robert Goodwin, to Dublin, to support the Parliamentary faction in the Irish Privy Council ; but exception being taken to this proceeding by Charles, and an order issued for his arrest, he left Dublin before it could be executed. On the outbreak of the Civil War he tried to maintain a neutral attitude, and though nominated a Commissioner for the King’s trial, he refused to act. He, however, accepted the post of Solicitor-General to the Commonwealth and benefited largely by the land confiscations that took place both in England and Ireland. All the same he managed things so well at the Restoration as not only to secure his pardon, but also to obtain the honour of knighthood. See Life in *Dict. Natl. Biog.*

776. Ordered that in all baronies, whether belonging to Adventurers or soldiers, where the Surveyor-General shall find any lands doubtful or encumbered, and shall have no sufficient ground before him whereby to judge whether the said lands be certainly forfeited or not, the said Surveyor-General, for the better preventing of all disorders and inconveniencies that might otherwise arise both to the proprietors and said Adventurers and soldiers, be authorised to respite the said lands from being disposed of. 17 Jan. General Orders A/5. 5. f. 343.

777. Ordered that the keeper of the gaol at Newgate, Dublin, do forthwith deliver unto Robert Moulsworth of Dublin, merchant, the bodies of certain felons to be shipped by him to Barbados or other English plantations in America. 18 Jan. *Ib.* f. 342.

778. THE COUNCIL TO THE COMMITTEE OF THE NAVY.

“ Having by our letter of the 22nd inst. represented unto his Excellency the Lord Deputy of Ireland the necessity of having some ships of force hastened hither for the guarding of these coasts, in regard that the declared war with Spain, the vicinity of the coast to this nation and the ancient amity and correspondence between both, may render the attempts of the Spaniard more easy upon this than any other place of his Highness’ dominions, and that there is at present no man-of-war but the *Primrose* frigate to guard the north and south seas, we have thought fit to acquaint your Lordships therewith and do earnestly desire that you would give speedy and effectual order for such a supply of ships of war as may be judged necessary for the safe guarding of these coasts. . . .” 23 Jan. Letters of Lord Deputy and Council A/30. 28. f. 130.

779. Whereas it is credibly informed that divers Irish Papists, who have been licensed to depart into Spain and other foreign parts, are secretly returned into Ireland, contrary to Order, thereby occasioning not only an increase of Tories and other lewd people, but have been instrumental in furnishing them with arms, powder and other ammunition out of those ships they have come over in, and that divers vessels have landed powder and arms in creeks and other unfrequented places, it is

ordered that ways and means be taken for its prevention by the Commanders-in-Chief in the respective precincts and governors of garrisons. 24 Jan. Orders A/5. 5. ff. 349-50.

780. Ordered that the Quakers in Dublin be sent to Chester. Quakers at Waterford to be shipped to Bristol. 21 and 30 Jan. *Ib.* f. 346 and f. 351.

781. Upon consideration had of the manifest prejudice his Highness and the Commonwealth have received by the combination and indirect proceedings of some persons formerly entrusted to let the lands belonging to his Highness and the Commonwealth, the Lord Chief Baron of the Exchequer is required to offer a reward for the discovery of any such fraud. 30 Jan. *Ib.* f. 356.

782. Ordered that a Committee be appointed to consider of the resemblance in proportion and quality of lands in Connaught and Clare to those in the other three provinces, that the like may be set out to the transplanted. 1 Feb. *Ib.* f. 354.

783. THE COUNCIL TO THE LORD DEPUTY.

Advise him that certain clauses in the Act for Satisfaction, dated 26th September, 1653, p. 85, give considerable dissatisfaction, as the officers cannot obtain debentures for arrears due for service in England.¹ 1 Feb. Letters of Lord Deputy and Council A/30. 28. f. 131.

784. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

"Address having been made to his Highness, the Lord Protector, by the petition of Christian, Anstace, Katherine and John Roche, orphans of Jordan Roche, late alderman of Limerick deceased, setting forth their present distress, his Highness and Council have conceived such a sense of their condition that they have determined² that £40 per annum shall be allowed them

¹ Cf. Thurloe, *State Papers*, iv, p. 554.

² See Order in *Cal. State Papers*, Irel., 1647-1660, p. 821. The petition was to the effect that Alderman Jordan Roche died seized of a vast real estate to the value of £2000 a year, and likewise of a considerable personal estate. Owing to its confiscation the petitioners were in a sad and deplorable condition, having "nothing to live on but what they earn by their needles and by washing and

out of their father's late estate in Ireland for their present subsistence and maintenance, till further order. . . ." 5 Feb. Letters of the Lord Protector and Council A/28. 26. f. 72.

785. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" We being by our Instructions to take effectual care for the preservation of the timber¹ in this nation belonging to the Commonwealth, and to use all good ways and means for preventing the mischiefs and inconveniencies by selling and cutting down and destroying the timber there, and to make inquiry whether any trees fit for ship timber doth grow near any good haven or navigable river, and thereof to certify his Highness and the Council, we have not been wanting to observe the same, having heretofore desired the judges to peruse the several Acts and Ordinances for Adventurers and soldiers, and to consider how far forth the said Adventurers and soldiers have any interest in the woods where their respective lots do fall, as also to consider of the great waste and destruction that hath been made by cutting down and barking the timber of late years, and to advise how the woods growing upon lands late belonging to the Crown, bishops, deans and chapters may be preserved ; having further required the Surveyor-General of lands to inform himself what woods (bearing any considerable quantity of timber) are now standing in any part of the nation, and to certify the quality and quantity of such woods, where they grow, at what distance from the sea or from any haven or navigable river, and to whom they belong, as also what waste hath been lately made in any of the said woods, and to offer what course may be held advisable for future preservation of the same ; and that no care might be wanting for preservation of the said woods we have (for some years past as your Lordship well knows) appointed wood-reeves (such as we supposed honest men) for to look unto the Commonwealth's woods and gave them strict rules and due encouragement for preservation thereof. Notwithstanding

wringing." (Prendergast, *Cromwellian Settlement*, p. 340.) According to the testimony of the Marquis of Ormond and others Jordan Roche's only fault had been that he had embraced the Peace of 1648[-49] and loyally, with his father Dominick, supported the royalist cause. An order for restoration was issued on 3 April 1661. *Cal. State Papers, Irel.*, 1661, p. 290.

¹ For an interesting account of the woods in Ireland and their destruction at this time see Boate, *Ireland's Natural History*, published in 1652, chapter xv.

which, we are informed that very great waste hath been committed and that the public suffers exceeding much prejudice daily, by one or other upon pretence or title, by stealth or by barking the same, whereby the future provision of timber for ships and for other public occasions is and will be rendered more and more difficult, unless some speedy and strict course be taken for remedy thereof, and for requiring the Adventurers and soldiers to plant some convenient proportion of their respective lots for future provision, which we desire your Lordship to represent unto his Highness and Council that such further consideration and order may be given therein as to their wisdoms shall seem meet. And we further desire your Lordship to consider in particular whether it be not advisable that for some time a stop be given to the disposeure of wood for making of pipe-staves, barrel-staves and hogshead-staves, which usually are made of the best timber and for the great waste and spoil [that] is made under colour thereof to the very great prejudice of the public." 6 Feb. Letters of Lord Deputy and Council A/30. 28. f. 134.

786. THE UNDERSIGNED TO THE COUNCIL FOR THE AFFAIRS OF IRELAND.

"In pursuance of your Lordships' Order unto us directed for the laying out and appointing of certain baronies in the Province of Connaught and County of Clare to receive the inhabitants of certain counties in the other three provinces, so that the transplanted persons might receive lands suitable (as near as may be) in quantity and quality to the places from whence they are removed, we have met together and considered of the best way for effecting the same, and having received a report, that was formerly made to this purpose to the Rt. Hon. the Commissioners of the Commonwealth, we have made some alterations therein, as well because the County of Sligo and part of the County of Mayo are since disposed of to the disbanded soldiers, as also for that the County of Leitrim and the lands within three miles of the sea and Shannon are reserved from present disposal; and upon the whole matter, having had respect to the said alterations and likewise in some measure to the distance of the counties from whence they are transplanted, so that the inhabitants of one

county (as near as may be) should not be removed to a greater distance from their former estates than others, we do humbly offer it as our opinions that the inhabitants of the several counties of the three provinces may be transplanted into the respective baronies to them [as] in the annexed schedule appointed, wherein as well the quality and nature of the soil as the distance are (as far as we could) provided for. Nevertheless we do further humbly offer it to your Lordships that where any person hath actually transplanted himself in observance of the Rules of transplantation [and] hath sat down and settled himself on the lands by order appointed him, although such lands shall not fall out to be within the barony herein appointed for the place from whence he removed, that he shall not in such case be subject to a removal, but shall be settled in the place already assigned to him ; and for such as have sat down and improved lands without order, that there be a regard had to them and to their improvements, and that (as far as may be) they may receive encouragement upon consideration of their first complying with the General Order for transplantation, and that there be a very great tenderness towards them, that they be not removed upon slight grounds, but upon very urging necessities, anything herein to the contrary notwithstanding. All which we humbly offer as our opinion in this matter. Har. Waller, Cha. Coote, Ro. King, John Hewson, Wm. Jephson, Hierome Sankey." 12 Feb. Commissions etc. A/26. 24. ff. 189-90. *Enclosed.*

786 (i). PROPOSALS IN ORDER TO THE ASSIGNING OF CERTAIN BARONIES IN CONNAUGHT AND CLARE TO CERTAIN COUNTIES IN THE OTHER PROVINCES.

1. Inhabitants of Ulster, except counties Down and Antrim, to be transplanted into the County of Galway—Tiaquin, Moycullen, Ross, Ballynahinch baronies (except what is reserved by line of the sea) and County of Mayo—Murrisk, Burrishoole, Erris half-barony, part of Tirawley (part of it being given to the soldiers), Costello.

2. Inhabitants of Cork and Wexford into County Galway—Clare, Dunkellin, Kiltartan baronies (except what is in the line on the sea), County Roscommon—Athlone, Moycarn baronies (except what is in the line on the Shannon).

3. Inhabitants of County Kerry into County Clare—Inchiquin and Burren baronies, County Roscommon—the territory of Artagh in the Barony of Boyle.

4. Inhabitants of counties Down and Antrim into County Mayo—Clanmorris, Carra, Kilmaine baronies.

5. Inhabitants of counties Kilkenny, Westmeath, Longford, King's County and Tipperary into County Clare—Tulla, Bunratty, the Islands, Corcomroe, Clonderalaw, Moyarta and Ibrickan baronies, and county Galway — half - barony of Ballymoe.

6. Inhabitants of counties Carlow, Waterford and Limerick into County Galway—half-barony of Loughrea, half-barony of Leitrim, Dunmore barony, barony of Kilconnell and half-barony of Athenry.

7. Inhabitants of counties Louth¹ and Wicklow into County Galway—half-barony of Killian, half-barony of Clonmacnowen, and barony of Longford (except what is in the line).

8. Inhabitants of counties Kildare, Meath, Queen's County and Dublin into County Roscommon—baronies of Roscommon, Ballintober, Ballymoe half-barony, and Boyle (except the territory of Artagh). *Ib.* ff. 190-91.

787. THE COUNCIL TO THE LORD DEPUTY.

“ . . . We are very much pressed by petitions from most parts for erecting of corporations, which in most places have, through delinquency, forfeited their Charters. It would be of much satisfaction to them and no doubt of advantage to the State that such places, as may be conceived fit, may be again incorporated, that the civil government may revive there where formerly it hath been actuated. . . .” 13 Feb. Letters of Lord Deputy and Council A/30. 28. f. 136.

788. Ordered that Depositions touching the discrimination of Irish delinquents not yet sent to Athlone from counties Kildare, Carlow, Westmeath, Longford, King's and Queen's County, Sligo, Leitrim, Tipperary and Mayo, whereby the public service is obstructed, be at once returned. 18 Feb. Orders A/5. 5. f. 373.

¹ “Mem. that Louth is reputed much better land than Wicklow, and to be accordingly estimated.”

789. Ordered that the Mayor do keep strict watch in the city of Dublin for the arrest of Irish Papists. 21 Feb. *Ib.* f. 374.

790. ORDERS GIVEN FOR SECURING NON-TRANSPLANTING IRISH IN THE SEVERAL COUNTIES.

Whereas divers Irish Papists and others have been apprehended, and are committed to safe custody in divers places of this nation, it is thought fit and ordered that or any two or more of them do forthwith inform themselves concerning such Irish or others as are committed within the said county of , and after examination had of their respective qualifications, they are hereby ordered and empowered to continue in restraint, viz. : —

1. Such of the said Irish or others committed who are proprietors of lands in Ireland, or have been in arms against the Commonwealth since 21st October 1641, and have not transplanted according to former Declarations.

2. Such of the said Irish or others, who having transplanted, have returned without passes or have outstayed them.

3. All such as have been transported beyond the seas and are since returned, and if any such Irish shall pretend licence from his Highness the Lord Protector, or from the Lord Deputy and Council for returning, the said Irish to be notwithstanding continued in restraint, and the original passes to be sent up for perusal by this Board.

And it is further ordered that the said be required to set at liberty all such Irish committed as aforesaid, viz.

1. Who shall by good testimony make it appear that for six months past, from and before the date hereof, they have renounced the Popish religion, and have made public profession of the Protestant faith, being no proprietors of lands, nor such as have been in arms against the Commonwealth.

2. Also all such whose transplantation till further Order hath been dispensed with by the late Commissioners of the Commonwealth, or by the Lord Deputy and Council, and have not violated their said orders, by staying longer than the time limited thereby, they engaging for their transplanting into Connaught and Clare by 25th March next.

3. Such as having passes from the Lord President of Connaught,

or the respective governors of Galway, Athlone, and Limerick to return upon their lawful affairs, have not outstayed the time limited, or exceeded the place therein expressed, taking care that upon their enlargement they engage to return within the time limited by their passes, and that such as have been dispensed with till further Order do likewise engage for their transplanting at or before 25th March next.

And the said are to take care that the wives and families of all proprietors and swordsmen transplanted as aforesaid, who do absent themselves from their respective places of abode, do forthwith repair into Connaught.

Lastly it is ordered that the said do transmit an account of their proceedings.

Mem. That to these Instructions was added as a fourth head this viz. :—

4.¹ And whereas it is informed that there are some Irish Papists, natives of County Cork, who by reason of manifestation of their affection to the English Interest, have been personally dispensed with from transplantation till further order, it is ordered that such of them as shall produce unto the said Wm. Hawkins, Robert Phaire etc. any such dispensation from his Highness, or from the Lord Deputy Ireton, the Commissioners of the Commonwealth, the Lord¹ Deputy Fleetwood, this Council or others by them authorised, be forthwith set at liberty, they being not to transplant themselves into Connaught or Clare by 25th March next. 23 Feb. *Ib.* ff. 388-90.

791. “The Council, being certified of the oppression and indirect practices used by some persons entrusted with the management of public affairs in the Province of Connaught and other parts thereabouts, contrary to law and tending very much to the disservice of his Highness and the State and to the discouragement of the transplanters, do order that it be, and it is hereby referred to Sir C. Coote, Lord President of Connaught, Mr Justice Cooke and John Santhy Esq. or any two of them to inform themselves, by the best ways and means they can, concerning all such abuses or irregular proceedings as have

¹ This instruction, referring specially to county Cork, was ordered to be vacated on 10 March. See below, p. 574.

been, in managing the public service, committed to¹ any person or persons entrusted to let and set the State's lands² in those parts, either by letting or taking of such lands contrary to Instructions for that end given, and in particular they the said referees are hereby ordered and required to inquire and find out what can be charged upon James Shaen and Stephen Squibb (late Commissioners sitting at Loughrea), concerning what custodiams or other lands they, or either of them, have taken or do now hold as tenants to the State or otherwise, and what lands they have unwarrantably possessed themselves of, or entered upon without order or due authority, as also what oppression or rigour they, or either of them, have exercised upon any Irish or others there contrary to right. To which end they, the said referees, are hereby authorised to summon the said James Shaen and Stephen Squibb to appear before them at Athlone. . . ." 29 Feb. Orders of Lord Deputy and Council A/10. 10. f. 18.

792. To the end the charge of the Commonwealth, and the payments made to the respective officers, ministers, pensioners, and other persons (not paid on the establishment for pay of the army) may be ascertained, the Council by virtue of the powers and trust to them committed by his Highness the Lord Protector do appoint and establish the following establishment:— The Four Courts £4567. 8. 11; Precinct officers £4845. 10. 0; Officers of excise and customs £3692. 4. 0. Total £13,105. 2. 11.

Ministers' allowance: Dr Thomas Harrison £300, Dr Samuel Winter £200, Nathaniel Brewster £200, Stephen Charnock £200 and others. Total £12,911. 5. 4. Schoolmasters £746. Pensioners £2329. Grand Total £29,091. 10. 3 by the year. [Mem. in margin: By a subsequent order of the Board dated the
of last the list of Ministers was struck out of the

¹ *Sic*: a mistake for "by."

² Shaen and Squibb were not the only persons who acquired property at this time in an "unwarrantable" fashion. "I know," Henry Cromwell wrote to Thurloe on 6 Feb., "three men, that took 18,000 acres of the Commonwealth's land in the county of Meath for £600 *per annum* and let it out again for £1800. Sir, and these were Commissioners entrusted for letting your lands. Another, which let himself (being a Commissioner) for £400 *per annum*, and the State to bear the contribution, that which was at the same time let by the State for £800, the country at the same time being as well stocked and planted as it is now. Sir, these and many more particulars might easily be proved, they being so notorious, that all men know of them." Thurloe, *State Papers*, iv, p. 509.

1656] *New Instructions for Loughrea Commissioners* 571
establishment.] Undated. Commissions etc. A/26. 24. ff.
147-168.

793. A Commission for setting out lands *verbatim* with that of 16th June 1655 (No. 685) but omitting the names of James Shaen and Stephen Squibb, to Sir C. Coote, Wm. Edwards, Charles Holcroft and Jas. Cuff. 3 March. *Ib.* ff. 181-3.

794. Ordered that the above Commission shall continue and be in force until 24th July next or further order. 3 March. *Ib.* f. 183.

795. INSTRUCTIONS FOR SIR C. COOTE, WM. EDWARDS, CHARLES HOLCROFT AND JAS. CUFF, COMMISSIONERS APPOINTED FOR SETTING OUT LANDS IN CONNAUGHT AND CLARE TO SUCH IRISH AND OTHER PERSONS WHO ARE OR SHALL HEREAFTER REMOVE THITHER.

1. You are forthwith to meet at Loughrea for the speedy execution of your Commission and to proceed according to the tenor of the said Commission and of the Declarations published in print in that behalf.

2. You are to reserve the whole County of Leitrim unplanted until the other counties be fully planted and further Instructions given.

3. You are to proceed in the settling of lands upon such as are to remove, according to the Decrees given by the Commissioners of the Court of Qualifications at Athlone.

“4. Where any doubt shall arise unto you whether any particular parcels of land in Connaught or Clare are forfeited and disposable by you or not, or any other case concerning title of land or other matter relating to the law, you are to state and present all such cases to the Commissioners at Athlone, who are to consider thereof and to return their resolutions and directions unto you thereupon.

“5. You are likewise in your future proceedings for setting out lands as aforesaid to observe as near as may be the annexed proposals¹ signed by Sir C. Coote, Sir H. Waller, Sir Robt. King, Col. Wm. Jephson, Col. John Hewson and Col. Hierome Sankey dated 12th February last.”

¹ Above, p. 766.

6. *Ut supra* Instruction 1, p. 522.

“7. And in case any person or persons, at their first setting down upon the lands by you assigned to them in Connaught and Clare, shall complain that they are disturbed by any former proprietors or others in the quiet possession or enjoyment thereof you are to put an end to such disturbance.”

8. *Ut supra* Instruction 3, p. 522, with this addition, “You are likewise not to distinguish delinquent proprietors in Connaught and Clare from delinquents transplanted thither out of other provinces; preference however is to be given to those who have perfected their claims according to orders and are already settled upon their respective allotments.

“9. Where any person hath made good a right and title to a lease in bishops’ lands in any of the three provinces or in the Province of Connaught and County of Clare, and shall produce a decree from the Commissioners at Athlone for the same, whereby it shall appear that such lease is yet unexpired, you are to assign unto such person a proportion of forfeited lands in Connaught or Clare as shall be agreeable to his or their respective qualifications, always provided that no Crown or Church lands within the said province or county be assigned unto him, the same being to be reserved for his Highness and the Commonwealth’s disposure. . . .”

10. *Ut supra* Instruction 4, p. 522.

11. *Ut supra* Instruction 6, p. 523.

12. Licence to cut down a moderate amount of wood.

13. Regulating the fees of the Court.

14. Lastly, to certify your proceedings.

The names of the garrisons within which or within one English mile thereof no Popish Recusant or other person transplantable shall be admitted to inhabit or to have lands appointed or allotted to them, *ut supra*, p. 524. 3 March. *Ib.* ff. 183-8.

796. “Upon reading of several proposals presented unto this Board by the Commissioners appointed to let the lands belonging to his Highness and the Commonwealth, and consideration had thereof: As to the first, whether the lands lying on the sea-coast between Galway and Sligo, the lands that lie within three miles of the sea or Shannon, or within one mile of a garrison shall be

set to Irish, and if not, whether the English that take them shall be bound not to plant or set them to Irish, the Council have thought fit to order that the said lands are not to be set to Irish, and that such English as take the same are to be tied not to plant or let the same to the Irish, to the end that neither principals, tenants, or terre-tenants¹ be Irish; and as to the second touching the lands about Sligo, the same are already disposed of by order to Sir Robert King etc.; and to the last concerning the days of payment for tithes, it is ordered that the first payment be made the 1st November next, and the second the 25th March following. . . .” 3 March. Orders A/10. 10. f. 20.

797. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

“ His Highness and Council having taken consideration of the humble petition of the Lord Viscount Claneboy, who in his composition for his estate² did compound for the whole, as in possession, without any allowance or deduction for the jointure of the Lady Claneboy, his mother, who is yet living, which is valued to be worth £1500 per annum, for which the said Lord Viscount Claneboy prays an allowance out of the monies to be by him paid for his said composition, have thought fit that the sum of £1500 be remitted, upon the said composition, unto the said Lord Viscount Claneboy, to be abated proportionally upon the three several payments by him to be made, that is to say £500 upon each payment. . . .” 8 March. Letters of the Lord Protector and Council A/28. 26. f. 70.

798. “ Upon consideration of what Captain Samuel Sheares hath offered unto this Board concerning the Irish now in restraint in the County of Cork, for not transplanting into the Province of Connaught or County of Clare, in pursuance of Orders and Declarations published in that behalf, it is now thought fit

¹ A terre-tenant is one who has the actual possession of the land.

² Lord Claneboy's estate was sequestered in 1649, and continued so till, in consequence of Cromwell's Ordinance of 2 Sept. 1654, admitting Protestant proprietors in Ireland to composition, Claneboy was allowed to compound at two years' value of his estate, about £9000, the money to be eventually raised by selling so much of it as at fifteen years' purchase would bring in that amount. The documents relating to his case are given in *Cal. State Papers, Irel.*, 1647-1660, pp. 597-599. In their answer to the above letter (Thurloe, *State Papers*, iv, p. 673) the Lord Deputy and Council expressed their inability (having due regard to the terms of the Ordinance and the importance of the case) to make the deduction ordered and remitted the matter back to the Protector for further consideration.

and ordered that the clause of the late Order, bearing date 23rd February last, directed unto Wm. Hawkins¹ Esq., High Sheriff for the County of Cork, Col. Robert Phaire, Lt.-Col. Foulk, Major Wallis and Capt. Courthop, that concerns the release of the Protestants therein mentioned, be and it is hereby declared to be vacated and of no force (none that are Protestants indeed and do really appear to be such being to be continued in restraint), nevertheless the names and places of abode is to be returned unto this Board according to the intention of the said Order. And it is likewise ordered that the persons aforesaid be and they are hereby empowered to dispense for the space of six months with all such of the said Irish, as are returned in the list presented unto this Board by the said Capt. Sheares, and hereunto annexed [wanting], that have manifested their affection to the English Interest, by engaging to blood against the Irish rebels ; provided the whole number to be dispensed with as aforesaid do not exceed forty persons.

“ It is ordered also that all such as have been dispensed with from transplantation for some limited time, and are now in restraint as aforesaid, be forthwith set at liberty, they first engaging to transplant themselves into Connaught and Clare at or before the 25th March inst. ; provided nevertheless that none be set at liberty that have been in arms, without special order from his Excellency the Commander-in-Chief in that behalf.

“ It is further ordered that James Coppinger² be dispensed with from transplanting until 1st May next, he engaging to transplant at that time ; and that John Oge Crawley be considered of by the said Commissioners, and proceeded with according to the rules and directions given them ; and that Maurice Fitzgerald be proceeded with according to the rules given, notwithstanding the former order of 2nd May last ; and that Redmond Roche be proceeded with as aforesaid.

“ And it is further ordered that the said Commissioners be

¹ William Hawkins, described as a “ citizen and merchant-tailor ” of London, was for some time Secretary to the Committee of both Houses for Irish Affairs. He subscribed £1250 as an Adventurer for lands in Ireland in 1642. On 12 June 1648 he was appointed Commissary-General of victuals in Ireland, and appears to have settled down at Cork. In 1654 he was appointed a Commissioner under the order of 1 Aug. 1654 for arranging for the allotment of lands to the Adventurers. His own adventure was settled by lands in the barony of Upper Iveagh, county Down.

² See above, p. 536.

and they are hereby authorised to dispense with the transplantation of aged widows, declaring that all other widows are transplantable, as also such Irish that are lessees, who have the term of seven years in either lands or houses, are transplantable, and likewise that all other persons that are to transplant, but such as are very aged, are forthwith to give security to the said Commissioners for their removal by the said time limited by their Instructions.

“And for the better carrying on of this public service within the said county, in putting these and other Instructions touching transplantation into due execution, it is ordered that Robert Southwell Esq. and Captain Jervaise¹ be, and they are hereby added to the persons above named, who are entrusted with the management of this service, and they are hereby empowered to act as fully and amply to all intents and purposes in the discharge of this trust reposed in them as any of the persons aforesaid. And lastly it is thought fit and ordered that they do take care that John Archdeacon *alias* M’Ody do transplant himself into Connaught or Clare by 25th March inst. according to their Instructions, notwithstanding any former order to the contrary.” 10 March. Orders A/10. 10. f. 25-6.

799. “Ordered that all such proprietors and swordsmen, as by two Justices of the Peace are certified to have legally renounced Popery, and for six months past have constantly resorted to public worship, and giving security to transplant by 12th April next, are to be set at liberty, the said Commissioners taking care that the names of all such persons, together with the original certificates be returned close sealed up unto this Board, to the end that (by the abovesaid time) the Council may give further order concerning such.” 17 March. *Ib.* f. 36.

Mem. The like Instructions sent to the respective Commis-

¹ Capt. Samuel Jervaise, or Jervois, had served in Munster in Inchiquin’s army; but after the latter’s defection from the Parliament he had been forced to return to England, where he was one of the “wicked guard of halberdiers” at the execution of Charles I. He returned to Ireland (being probably a native of county Cork) and, as appears from the above document, found employment as a Commissioner of Transplantation. His arrears were settled by a grant of lands in county Wexford, which however he was obliged to surrender at the Restoration, but he himself appears not to have been molested.

sioners for transplantation in the several counties, except County Cork.

800. “Whereas by former Order of this Board it was thought fit that the town of Galway (for the better security thereof) should be cleared of the Popish Irish inhabitants, some few persons excepted, who, upon the representation of Sir C. Coote, Lord President of Connaught, were held fit to be dispensed with, in regard that through their extreme age, sickness and the like, and through the unseasonableness of the weather they were disabled to remove until the season better served or that they were recovered, it being then and still the desire of the Council that so considerable a place should be entirely inhabited by Protestants and persons well affected to the Interest of his Highness and the Commonwealth, the said Council have thought fit and do hereby order and desire the said Sir C. Coote to take speedy and special care that, at his coming into Connaught, he do inform himself what Irish Papists are remaining in the said town of Galway upon that account, and to cause such and so many of the said Irish to be removed thereout as his Lordship shall conceive fit for the security of the place, as also to dispense (until further order) with the stay of such Irish Papists only, as his Lordship conceives may not endanger the same and are unfit to remove, by reason of age, sickness or the like, and to transmit, close sealed up, unto this Board the names of such persons so dispensed with and the reasons inducing the same.” 18 March. *Ib.* f. 41.

801. THE COUNCIL OF STATE TO THE LORD DEPUTY AND COUNCIL.

“The Council, finding amongst several proposals tendered unto them in reference unto Ireland these two (whereof the copies are enclosed), have thought meet, before they take them so far into consideration as to make a determination therein, to recommend the same to the consideration of your Lordship and the Council there, that in case your Lordship and the Council shall find the complaints and cases therein specified to be so numerous as may receive¹ (*sic*) some general direction to be given, that then you would consider of these proposals and return unto

¹ Query—require to receive.

the Council your opinion touching the same, or what your Lordship and the Council shall think fit to be done therein." 18 March. Letters of Lord Protector and Council A/28. 26. f. 75. *Enclosed.*

801 (i). THE FOLLOWING PROPOSALS :—

"1. That the Lord Deputy and Council in Ireland, taking to their assistance the judges there, do examine upon what grounds the late King was in the Earl of Strafford's government entitled to the Irish and Protestants' estates in the Province of Connaught and counties of Limerick and Tipperary, as also upon what grounds the proprietors in Ireland were necessitated to take new letters patents of their estates and lands upon increase of their rents and alterations of their tenures, as also the tenants to the archbishops, bishops, deans and chapters there to surrender their former interests, and to take new estates of their several holdings upon great increase of their rents ; and to state the matter of fact and return the same to his Highness and the Council, to the end such remedy may be given, in the said grievances complained of to be thereby done, as shall appertain to honour and justice.

"2. Whereas several of the Protestants in Ireland had *bona fide*, before the Rebellion began, purchased lands and were in possession thereof from some of the Irish who afterwards proved rebels, and who in the conveyances of the said lands did covenant to levy fines and suffer recoveries ; but the Rebellion breaking out before such fines were levied or recoveries suffered, such estates are now become liable to question by the State ; that in all and every of the cases aforementioned (where the truth thereof shall upon complaint manifestly appear to the Lord Deputy and Council and that possession hath been enjoyed accordingly), the said purchasers receive licence from the said Deputy and Council to have and obtain the same remedy in his Highness' High Court of Chancery in Ireland against the State, as they might have had against the said Irish, their heirs and assigns in case such Irish had never gone into rebellion nor forfeited their estates." *Ib.* ff. 84.

802. " Ordered that the Lord Chief Baron of the Exchequer (Corbett) be and is hereby desired to prepare the state of the

case and condition Irish Papists are in, what privileges they may be deemed capable of, and whether to be differenced from Papists in England as to laws and penalties, with what also his Lordship shall think fit to offer in the case for the consideration of this Board." 21 March. General Orders A/10. 10. f. 44.

803. Ordered that Mr Goodwin and Col. Thomlinson do consider of proposals or ways for the due encouragement of such as are desirous to advance manufactures in this nation, as of weavers, clothiers etc., as at Thomastown in County Kilkenny, Athenry in County Galway, with other like places. 21 March. *Ib.* f. 43.

804. OLIVER P. ADDITIONAL INSTRUCTIONS TO THE LORD DEPUTY AND COUNCIL.

"1. That the Crown lands, bishops', deans' and chapters' lands, the cities, corporate towns, and the lands common of pasture, and other hereditaments formerly belonging unto such cities and corporate towns and within the liberties thereof in Ireland, be reserved for the State's use, and carefully distinguished from the forfeited lands in each county and barony set apart for the satisfaction of the Adventurers and soldiers.

"2. That such charters, liberties, and privileges be granted under the Great Seal of Ireland unto the cities and corporate towns there, which have forfeited their ancient charters, liberties and privileges, as shall by the advice of some of the most experienced persons of each province within that nation (to be nominated and appointed by the Lord Deputy and Council for that purpose) be found most conducing to the well-governing the inhabitants there, and carrying on of merchandise, trade and manufacture in that country; as also by Commission under the Great Seal to appoint and make choice of so many experienced persons, as the Lord Deputy and Council shall conceive necessary, to be a Committee of Trade, to offer their advice to the said Lord Deputy and Council for the better carrying on and ordering of trade in Ireland.

"3. That one penny-halfpenny by the acre be yearly reserved, and payable to his Highness and successors half yearly by the Irish proprietors, their heirs and assigns out of every

acre of profitable land that is or shall be assigned unto them respectively in Connaught or the County of Clare, according to their respective qualifications contained in the Act of Settlement, and that letters patents under the Great Seal of Ireland be accordingly granted unto as many of them, their heirs and assigns as shall desire the same; provided that the said rent of one penny-halfpenny by the acre do not commence to be paid by any of them until one full year after he or they shall respectively be put into the peaceable and quiet possession of such lands as are or shall be assigned unto them as aforesaid.

“4. That the forfeited lands undisposed of and in the State's gift lying within the County of Donegal in the Province of Ulster, the counties of Wicklow and Longford in the Province of Leinster, and the County of Leitrim in the Province of Connaught be, with as much speed as may be, set apart and disposed of by boxing,¹ towards the satisfaction of arrears due for service in Ireland before 5th June 1649, unto such officers and soldiers, their executors administrators and assigns who have not already received satisfaction for the same, and who shall have right to claim the said arrears, according as the same is provided for in the Act of Parliament for stating and determining of the accounts of such officers and soldiers as have been employed in the Commonwealth's service in Ireland or otherwise; provided that none pay less for any thousand acres of profitable land lying and being in any of the counties and provinces aforesaid than the same is rated at to the Adventurers and soldiers of the present army in Ireland in the Act of Parliament 17 Caroli and the Act, entituled ‘An Act for the speedy and effectual satisfying of the Adventurers for lands in Ireland and the arrears due to the soldiery there.’

“5. That in case the forfeited lands, with the aforesaid four counties, shall not be sufficient to satisfy the arrears of pay due to the said officers and soldiers, their executors, administrators and assigns that then the remainder thereof be forthwith satisfied as aforesaid by and out of such lands as lie in the said Province of Connaught and County of Clare within one mile of the river of Shannon or of the sea, which is exempted from the transplanted Irish and reserved for the State's use;

¹ I.e. by placing the lots in a box as above, p. 392.

and that it be in the power of the said Lord Deputy and Council to reserve about every of the garrisons, already made and erected upon the said river of Shannon, or as shall be within one twelvemonth thought fit to be erected on the same, so much of the ground aforesaid as they shall judge necessary for the use of the said respective garrisons made and to be made as aforesaid ; provided that there be not above 1000 Irish acres reserved about each respective garrison as aforesaid for the use thereof, unless it be about the city of Limerick, the pass of Killaloe, the castle of Portumna, the town and castle of Athlone and Jamestown, where the said Lord Deputy and Council are to reserve so much of that land so reserved as they shall think necessary and fit for the use and service of the State.

“ 6. That letters patents under the Great Seal of Ireland be granted unto all or any the officers and soldiers, their heirs and assigns of their respective lands allotted unto them in Ireland (under the yearly rents already reserved), who shall desire the same for the better corroborating of their titles and interests to their said interests.

“ 7. That upon request to be made by any of the officers, soldiers, Adventurers, or other Protestant proprietors in Ireland, their respective estates be created into one or more manors ; provided that every manor contain at least 1000 acres of profitable land and not exceeding 6000 acres, and that fairs, markets, courts leet, courts baron, courts of pie powder, waifs, strays, goods of felons, goods of fugitives, free warren, as also courts of record to be kept in every market-town for the trial of personal actions not exceeding £200, and all other royalties, privileges, and immunities formerly usually granted to planters in that country, be granted under the Great Seal of Ireland unto the aforesaid persons, their heirs and assigns respectively, reserving upon each of the said grants unto his Highness and successors such moderate yearly rent as may further enable and give the said respective persons encouragement to plant their said estates with English.

“ 8. That all the church livings in Ulster that are vacant and in the State's gift, and all others there, as they shall become vacant, be from time to time supplied by ministers of the English nation.

“ 9. That all such of the Scottish nation who are now inhabiting or dwelling in any part of Ulster or in the County of Louth, and have at any time been in arms or hostility against the State in England, Scotland or Ireland (not being freeholders or having lands of inheritance, or articles whereby they are freed and acquitted of their delinquency) be, by Proclamation, or pardon under the Great Seal of Ireland, if they desire the same, upon removing of their dwellings out of Ulster and the said County of Louth, before 29th September 1657, into any other the provinces or counties in Ireland (except the said County of Louth) pardoned their respective offences, for the further encouragement of them thereunto, otherwise to pay such composition as to the Lord Deputy and Council in Ireland shall seem meet.

“ 10. That all others of the Scottish nation, not guilty of bearing arms against the State as aforesaid, who since 24th June 1650 have come into Ireland, and are now dwelling in the said Province of Ulster or County of Louth aforesaid, be (by Proclamation or otherwise) commanded to remove their dwellings and stocks out of the said Province of Ulster and County of Louth before 29th September 1657 into any other the provinces, cities and towns corporate in Ireland, upon pain of forfeiting one moiety of their estates, the one moiety whereof to be and accrue to the State's use, and the other to the use of the informer or informers and prosecutors ; and, if they have no estates, then upon pain of such further punishment as the Lord Deputy and Council shall think fit ; provided the Lord Deputy and Council shall have power to give licence to such of the said persons, as they shall find just cause, to remain there without removing.

“ 11. That all others of the Scottish nation who have not now habitations in Ireland, and who shall at any time hereafter desire to come and dwell in Ireland, be likewise, by Proclamation or otherwise prohibited upon the aforesaid penalties to come and dwell or inhabit in any place within the said Province of Ulster or County of Louth until further order.

“ 12. That the Courts for probate of wills and testaments, as also the Courts of Admiralty be again erected and resettled in Ireland as followeth,” (1) Courts for probate of wills to be erected in every three counties ; (2) The judge and register of the Court to be appointed by the Lord Deputy and Council ;

(3) The Lord Deputy and Council with the advice of the judges to settle the fees of the Court for probate of wills ; (4) A Prerogative Court to be erected at Dublin consisting of one or two judges ; (5) who may consult the judges or masters of Chancery in cases of difficulty ; (6) The judges, register and other inferior officers to be maintained out of the fees ; (7) To have power to receive appeals from inferior courts ; (8) A Court of Admiralty to be resettled under the Great Seal of Ireland ; (9) In difficult cases to be assisted by the judges or masters of Chancery ; (10) Judges, register and other inferior officers to be maintained out of the fees of the Court.

“ 13. That licence be given unto the people of England and Wales, Scotland and Ireland to transport into England or Scotland from Ireland all sorts of linen cloth of the manufacture of Ireland, custom free, and without any other imposition, subsidy, or charge than as from port to port in England, upon good security to be first given that they shall land and deliver the said goods so to be transported to some of his Highness’ ports in England or Scotland, and to return authentical certificates thereof within convenient time, to be limited in the said security to the officers of the custom house, residing at such ports from whence the goods were exported.

“ 14. That all or any of the inhabitants of the Commonwealth of England be permitted and licensed to export horses out of Ireland into the Barbados or other of the English plantations in the West Indies, they or any of them paying no more custom, subsidy or other charge for each horse so to be transported but twenty shillings as in England.

“ 15. That six months’ longer time be given for the adjudication of such claims as have been found or made by order or direction of the Commissioners of the Parliament of the Commonwealth of England for the affairs of Ireland, or the Lord Deputy and Council there within the time limited in his Highness’ Ordinance of 23rd June 1654, and as yet remain undetermined in the counties of Limerick, Tipperary, Waterford, Eastmeath, Westmeath, King’s and Queen’s Counties, Louth, Antrim, Down and Armagh in Ireland, and that the said six months commence from the publication thereof in each of the respective counties aforesaid.

“ 16. That for the encouragement of foreign nations to come

into Ireland to purchase or take to farm houses and lands there, letters patents of denization be granted under the Great Seal of Ireland to all persons of what nation soever professing the Protestant religion, who are now dwelling or shall hereafter come into Ireland to inhabit and dwell as aforesaid and shall desire the same.

“ 17. Whereas the estates of divers rebels (upon good and valuable considerations) have been granted by lease or in mortgage to Protestants before the rebellion in Ireland began, or otherwise made liable to the just satisfaction of statutes, judgments, recognizances, or any other legal encumbrance to Protestants; and likewise whereas the estates of divers of the Protestants have been granted in lease or in mortgage to any of the rebels or otherwise made liable as aforesaid to the satisfaction of any debt due unto the said rebels, or any other just encumbrance, that in all and every of the cases aforesaid the said Lord Deputy and Council, either by themselves or by commission under the Great Seal there to be directed to such persons as they shall appoint for that purpose do either sell the State's interest to the said Protestants, or purchase the said Protestant's interest for the State's use, as either of them shall be found most conducing to public advantage; provided always, that where any of the said encumbrances fall upon any lands that are assigned either to the Adventurers or soldiers, that the consent of such Adventurers or soldiers be first obtained before the sale be made thereof.

“ 18. That by Commission under the Great Seal of Ireland directed unto such persons within every county there, as the Lord Deputy and Council shall make choice of, it be carefully inquired into what free school or schools were formerly erected in each city, town-corporate, and county within Ireland; what yearly maintenance was formerly belonging unto the said free school or schools within each county, from whence it issued and by whom paid; how much the same amounted to yearly in 1640 and 1641, and what the same may be now set for yearly, as also what it will now fall short of £100 per annum in each county; and that upon return thereof there be allowed and paid yearly out of the rents formerly belonging to bishops, deans and chapters within each respective county in Ireland so much as will make up the said present revenue formerly

belonging to the said free school or schools within every of the aforesaid counties £100 yearly; and where no such means were formerly allowed, that in such county there be allowed as aforesaid for the maintenance of such free school or schools as shall be found fitting to be erected there so much yearly maintenance as the said Lord Deputy and Council shall conceive meet; provided they exceed not the allowance of £100 yearly to the said school or schools that are or shall be erected in each of the said respective counties.

“ 19. That power be given by the like Commission, directed as aforesaid, (according to Article 3 of the Act 17 Caroli for appointing of maintenance to ministers and erecting of public meeting-places, which is also confirmed by the Act of Parliament entituled, ‘An Act for the speedy and effectual satisfaction of the Adventurers for lands in Ireland and of the arrears due to the soldiers there’ fol. 81) to enlarge or reduce each respective parish in Ireland, with consent of the inhabitants, to such limits and bounds as may afford, whenⁿ the same is planted, a competent yearly livelihood to theⁿ minister, as also that the same be of such extent and circuit as that the parishioners may with conveniency come to the meeting-place on the Lord’s Day, and to appoint the said meeting-place to be erected in the most convenient place of such parish for that purpose, and that the Commissioners’ proceedings therein be from time to time certified to the Lord Deputy and Council to the end that upon their approbation the same may be confirmed by Act of State.

“ 20. Whereas the poorer sort of Irish in Ireland do, as well as the rich, abound in children, and have for the most part no other means to support them and their said children but either by begging or stealing or both, by which means they not only prove very burdensome, but also unnecessary members of the Commonwealth; and whereas the said children would, no doubt, in time prove of excellent use, if there were some course laid down whereby they might at the age of ten years and upwards be taken from their parents and bound apprentices to religious and honest people in England or Ireland, that would not only make it their business to breed them as well principally in the fear of God, as in such honest callings, whereby they might be enabled, when they come out of their apprenticeships, to get their

livings by their own industry ; and whereas it is likewise found by daily experience that there is a great want in England of labourers and servants of all sorts, occasioned partly by the late war, and partly by carrying of both men and women to foreign plantations, as also for that, no doubt, it would be a work most acceptable unto the Lord to have the said children bred and brought up as aforesaid, that for the effecting and carrying on a work of so great piety and charity a public collection be appointed to be made upon a certain day, once every year, in all the respective parishes in Ireland, in such manner as you shall think meet ; that the collections so made be committed to such hands and put into such a way of distribution in Ireland as shall be found most conducing to effect and bring to pass so pious, charitable and advantageous a work, as the educating of the said poor Irish children may hereafter prove to the Commonwealth.

“ 21. Whereas there hath been lately very good fuller's-earth¹ found in some parts of Ireland, and that probably more may be found hereafter, which may, if it be permitted to be exported out of that nation, prove very prejudicial to this Commonwealth ; and whereas there hath not been any law, act of State, or penalty imposed for hindering the exportation thereof, because it was never before found there, that the exportation thereof anywhere out of Ireland be (by Proclamation or otherwise) prohibited upon the like penalty as the same is prohibited to be exported out of England.” 27 March. Commissions etc. A/27. 25. ff. 41-54.

805. THE COUNCIL TO THE COMMISSIONERS OF THE ADMIRALTY.

“ Having newly received the ill-tidings of the loss of that good ship the *Primrose*, under command of Captain Sherwine . . . This loss as it is very considerable on the State's part so we cannot but represent unto you that it is of public prejudice more especially in relation to his Highness' service upon this coast, which is much weakened thereby, and now left naked to

¹ According to Wakefield (*Account of Ireland*, i, p. 113) an earth, resembling fuller's earth, is found in great plenty along the river Leane in co. Kerry, and also at Ballymackean near the Old Head of Kinsale in co. Cork.

any pirates or other enemy, which may (as they please) soon stop all the poor trade of this nation, and therefore our desire is that you would take into consideration the necessity there is speedily to cause some other ships of force to be hastened hither for the defence and service of this nation. . . ." March. Letters of Lord Deputy and Council A/30. 28. f. 142.

806. SAME TO THE LORD PROTECTOR.

" In pursuance of a late letter from your Highness' Council and an enclosed paper or proposal for a general pardon to be granted under the Great Seal of Ireland, and to return unto your Highness and Council our consideration thereof, we have considered of the several Ordinances for admitting the Protestants in Ireland to compound, and for the preparing some matter fit to be presented to your Highness and Council in order to a general pardon for the Protestant inhabitants of Ireland who live in Leinster, Munster and Connaught. And first, as to the Ordinance of indemnity for the Protestants of Munster made 1st August 1654, although the same was published here, and notice given for their compositions to be made in pursuance thereof, yet there hath not any one person hitherto of that province come in, that proffered or made any composition at all.

" As to the Ordinance of 2nd September 1654, by which liberty is given to admit all persons being Protestants in Ireland (other than such as have been excepted from pardon) to compound for their delinquencies, some few persons (the most of them being of the Scottish nation) have made their compositions, and days set for payment of their fines, yet very few of them have paid their fines or any part of them, and since by order of your Highness and Council such as have not come in and submitted to a composition before the 25th December 1655 are thenceforth excluded from the benefit of compounding. And such as by the said last Ordinance have made their compositions we doubt not but your Highness hath taken notice of the complaints and petitions of the Adventurers and soldiers, who do complain that they are thereby deprived of that satisfaction that by the Acts and Ordinances of Parliament is held out unto them, towards the satisfaction of their arrears out of those forfeited estates now compounded for, they insisting on that clause in the Act of

17 Caroli, that all patents and pardons, which shall be granted unto any of the said rebels after 23rd October 1641, without assent of Parliament, shall be adjudged void. But if your Highness, in your wisdom and judgment shall please to vouchsafe any further grace or mercy to offenders of that kind, we shall not interpose ; only we herewith humbly offer to your Highness' consideration whether these provisos in this paper enclosed, or some of them may not be adjudged fitting to be inserted in such pardon." 1 April. *Ib.* ff. 143-4. *Enclosed.*

806 (i). PROVISOS SUGGESTED IN THE GENERAL PARDON.¹

" 1. That it extended not to persons or officers excepted from pardon by the Act of Settlement made and passed the 12th August 1654,² or by any Ordinance or Declaration of his Highness since.

" 2. That it extend only to free and acquit all persons, Protestants of Ireland, and their estates from all questions, suits, demands, forfeitures, pains, imprisonments, punishments, trouble, or molestations, sequestrations, fines, penalties whatsoever, for any matter or thing by them done and committed by land or sea against the Parliament of England, their army or forces, and since against his Highness, his army and forces in the late war, or any the former wars, except as in the said pardon is excepted.

" 3. That it extend not to give any power, right, or advantage to any arrears, or satisfaction for arrears, for his or their service done on the behalf of the Commonwealth before his or their defection.

" 4. That it extend only to such part of their estates, and of such values, as shall be mentioned in a particular to be by them exhibited in writing under their hands and seals, and for which they shall make their composition ; the fine and fines for the said composition not to be less than two years' full value of such estate, as the same was worth or were let for in the year 1640. The said fine to be assessed and set by the Lord Deputy and Council, or by the Council in the absence of the Lord Deputy, or by such other persons as his Highness shall nominate and appoint. And that upon payment into the treasury of such fine

¹ From Thurloe, *State Papers*, iv, pp. 668-669. ² *Sic* : a mistake for 1652.

and fines so set and imposed as abovesaid, all and every person and persons so paying the same, his and their heirs and assigns, and all and every the lands and estates which shall be so compounded for, shall be thenceforth freed and discharged of and from all and all manner of sequestration, confiscation, or forfeiture, for and in respect of any delinquency whatsoever, and not otherwise.

“ 5. That it extend only to such persons, as having any real estates in Ireland, or having any personal estates above £40, shall tender and make their composition for their delinquency, at or before the day of which shall be in the year and shall duly pay the same at the time appointed as abovesaid.”

807. Ordered that Sir H. Waller, Sir Robt. King, Sir John Temple, Cols. Hewson, Sankey, Lawrence, Drs Winter, Harrison, Worth, Mr Wootton, and Alderman Hooke be, and they are hereby desired to attend the Lord Chief Justice Pepys and the Lord Chief Baron Corbett next Tuesday at nine in the forenoon in the Gallery Chamber within the Castle, and peruse his Highness' Ordinance for approbation of public preachers dated 20th March, 1653[-4] for the propagation of the Gospel and of learning. 4 April. Orders A/10. 10. f. 52.

808. “ Upon consideration had of the Queries from the Commissioners for Adjudication of the Claims and Qualifications of the Irish dated the 28th March 1656.

“ 1. To the first concerning what estate belongs to such of the inhabitants of Athlone, as are comprehended in the ninth article¹ there made, this answer is thought fit to be returned. That this article is not conceived to be obligatory longer than during the time it was held consistent with safety to permit the said inhabitants to live in Athlone, after which they were to submit to the Rule in the Act, and to have their respective qualifications determined according to law, and to enjoy such proportion of their estates as by Decree of Court should be awarded them.

¹ The ninth article reads: “ That the inhabitants of the town of Athlone shall have quarters for their lives with assurance to enjoy their estates and goods, and remain in the said town, paying such contribution as others do whilst they remain in the English quarters.” Articles of Capitulation, f. 44.

“ 2. Concerning the Earl of Westmeath, the Council leave the same to the judgment of the said Court, to provide according to law and their Instructions.

“ 3. Concerning what value of estate is intended by force of the Kilkenny Articles or of the Orders of the Board pursuant thereto, the Council in this have declared their sense in the Instructions lately given the Commissioners sitting at Loughrea, and that by ‘ value ’ the intrinsic value of lands is to be known and understood, and in assigning out lands in Connaught they are to proceed by the Rule of the Act and their Instructions.”
4 April. *Ib.* f. 54.

809. Ordered that the Commissioners at Loughrea do set out to Col. Henry Markham and John Perrin, alderman of London, 1000 acres lying within three miles of the river Shannon.
4 April. *Ib.* f. 55.

810. Ordered that the Commissioners now sitting at Loughrea do set apart one barony in County Clare and another in County Galway. 8 April. *Ib.* f. 55.

811. “ Upon reading several queries presented unto this Board by the Commissioners appointed to inquire into the delinquency of the Irish, that did not transplant out of the County of Limerick, pursuant to Declarations published in that behalf, and upon consideration had thereof, it is ordered, that as to the first, whether such as have been prentices and servants to the inhabitants of the city of Limerick during the siege thereof, and in order to their masters’ commands did watch and ward shall be deemed swordsmen or persons in arms and consequently transplantable, that such of them that have been found to have been in arms are transplantable, and as for others the Commissioners are to proceed according to their Instructions.

“ 2. Whether the younger sons of proprietors viz. 2, 3, 4 etc. shall be deemed proprietors though they have no property but as sons to such proprietors and specially when the eldest son and heir is transplanted, it is ordered that the said Commissioners do observe in such cases the Instructions already sent them in that behalf.

“ 3. Whether such persons [who], after the second year of the

Rebellion, were forced (by the commands of their superiors or persons in chief authority amongst the Irish) to meet at certain places to oppose the incursions of the English, though never mustered or paid as soldiers, shall be deemed to have been in arms and consequently transplantable, and of equal capacity with officers and soldiers mustered and paid, the Council think fit to leave the said Commissioners to proceed in such cases according to the Rule already given them.

“4. Whether mortgaggers, mortgagees, lessors and lessees shall be deemed proprietors, it is declared that they that have an estate for any term of above seven years are transplantable persons.

“5. Whether all handicraftsmen, as fishermen, weavers, cotners etc. (if it shall appear they have been in arms) shall be transplanted, without respect had of the want of such useful persons in the places from whence they are to remove, or whether they, or such of them as shall be judged for some respects deserving, may not be forborne withal until the country or place where they live be furnished with Englishmen of the like trade and profession, the Council do hereby order that the said Commissioners do in such cases proceed according to their Instructions.” 8 April. *Ib.* ff. 57-8.

812. Ordered that Col. Henry Ingoldsby, Capt. Freind¹ and Capt. Webb be appointed Commissioners for setting out and making the line within three miles of the Shannon in the Province of Connaught and County of Clare. 8 April. *Ib.* f. 58.

813. “Ordered that Hugh, Lord Viscount Montgomery of the Ards² be and is hereby freed from his present restraint, and that

¹ Capt. John Freind, apparently of an old county Limerick family, settled at Milltown in Elizabeth's reign, served throughout the war, and received satisfaction for his arrears in the same county. He supported the Restoration and signed the address presented by the Mayor and Corporation of Limerick to Ormond congratulating him on his appointment to the Government of Ireland in 1662.

² Lord Montgomery of the Ards after taking, like his neighbour Lord Claneboy, an active part in the war against the Irish, had, on the conclusion of the Peace of 1648, openly sided with Ormond against the Parliament and been appointed by him Commander-in-Chief of the royalist forces in Ulster. He was at first successful in capturing a number of places in the north, but being repulsed by Sir C. Coote before Derry he joined Ormond, and recognising the futility of further resistance he surrendered personally to Cromwell at Clonmel.

he be permitted the liberty of the City and County of Dublin, he having (pursuant to an Order of this Board) given his engagement under his hand in writing unto Col. Thos. Herbert, Clerk of the Council, not to depart out of the said county without leave first obtained from his Excellency, the Lord Henry Cromwell, or from this Board, and that he shall neither act nor contrive anything to the prejudice of his Highness and the present Government." 8 April. *Ib.* f. 58.

814. "The Council being informed that some Irish now living in Connaught have of late exercised a barbarous cruelty there, by cutting out the tongues of divers cattle belonging to the English and others, with other savage acts of much torture to the beasts, prejudice to the proprietors, and savouring of much rancour to the owners, and expressing thereby an implacable malice and animosity to the English nation, it is therefore ordered that it be and is hereby referred to the Commissioners of the Court for Qualifications and Claims at Athlone to make the best and speediest inquiry they can for the seasonable discovery of the matter of fact, as also of the actors and abettors thereof, and to certify the same unto this Board, to the end that such further proceedings may be taken thereupon as shall be agreeable to law and justice." 11 April. *Ib.* f. 63.

815. T. HERBERT TO THE RESPECTIVE SHERIFFS OF IRELAND.

Reminds them that the time allowed to the Irish to enter their claims at Athlone expires on 20th May. 11 April. Letters of Lord Deputy and Council A/30. 28. f. 146.

816. "Whereas Dermot Raine,¹ with some few others in the County of Carlow and parts thereabouts, being conscious of their own guilt, by reason of their misdemeanours, dare not submit themselves to the laws now in force in this nation, have lately run out . . . the Council, taking notice thereof, do hereby

Being obliged by Order of Parliament to retire to the Continent he obtained permission in 1652 to return to England, and afterwards to Ireland, where, however, he was placed under strict surveillance. (See more on this point in Hill's *Montgomery MSS.*, p. 206, note.) He was set at liberty by the above Order, and on 13th Feb. 1657 he was allowed to compound for his estate in £3000 (References of Petitions A/11. 11. f. 423); but being regarded as a dangerous individual he was rearrested in August 1659. See below, p. 701.

¹ Or Ryan. See above, p. 542, note.

order and declare that all such Irish, that are or shall turn Tories or woodkerne as aforesaid, shall not be capable of or expect to receive any mercy or favour, but that they be prosecuted according to their respective demerits." 15 April. Orders A/10. 10. f. 61.

817. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

In consequence of his quiet, sober and religious behaviour, the sequestration placed on the estate of Sir Alexander Stuart,¹ who having refused to join Ormond, went to Scotland and taking up arms against the Commonwealth was killed at the battle of Dunbar, is to be taken off, in the interest of his widow Dame Katherine Stuart and son. 15 April. Letters of the Lord Protector and Council A/28. 26. f. 77.

818. T. HERBERT TO MR HAMBDEN.²

"There is a youth now in Dublin, whose father Colonel Bagenall³ suffered about four years since at Kilkenny by sentence of the High Court of Justice, whereby his estate, which was considerable, became forfeited to the Commonwealth. He left divers young children. . . . The Council here are desirous that this young man should be bound an apprentice to some person in London, where he may be virtuously trained up, and by benefit of good education and distance hence be wholly estranged from his Popish relations. . . ." 16 April. Letters of Lord Deputy and Council A/30. 28. f. 146.

819. THE COUNCIL TO THE LORD PROTECTOR.

"By many former humble addresses unto your Highness and Council we have made known the miserable condition this nation is in through that vast quantity of Peru and other base and counterfeit coin this poor nation hath of late been burdened with. Indeed we are not able (so fully as we would) to express our resentment of this growing evil, the general discontent it bears upon most men's hearts, nor the prejudice that is likely to arise unless some speedy remedy be applied; for, like a

¹ Son of Sir William Stuart of Ramelton.

² Presumably Richard Hampden, John Hampden's second son.

³ See above, p. 148. The youth mentioned was Dudley Bagenall. For details regarding his case see *Cal. State Papers, Irel.*, 1661, pp. 229-231.

gangrene this adulterate coin spreads far and near ; it banishes hence the current coin of Spain and eats up the good English money, which the merchants (for want of exchange or other commodities to return) make it a secret trade to export into England, or (notwithstanding our utmost care for prevention) into some foreign parts to any place where it yields most advantage. Hereby the stock of this nation is detrimented much above two-thirds as is conceived. Little other money is visible save this counterfeit American, which ordinarily goes for four shillings and six pence, and upon assay is found not to value two shillings and four pence, and most of that which runs current is very little better than brass or alchemy. Trade hereby is exceedingly obstructed, plantation much discouraged, necessary provisions withheld and monthly contribution (for supply of your Highness' forces here) paid in such base coin as becomes great loss to the receivers, and being refused in divers places (the temper of the people generally abhorring it) the public affairs, without speedy care ('tis feared) will unavoidably fall into disorder ; nor can we apprehend other than that this manifest inconvenience may in the end beget disturbance in the people, unless your Highness (out of your pious and fatherly care of the welfare of this country) tenderly consider of what we have faithfully represented. Nor know we any other or better expedient for the cure hereof, or how to apply suitable remedy save by a mint, which now as formerly we most humbly and earnestly desire (if the same may be held advisable) may (at least for some time) be erected here. This (as we conceive) will allay the importation of more such trash ; it will encourage us to decry what, through necessity, is made current here, and will enable us to call in the Peru and Mexico pieces (which are little better than brass) and at present the far greater proportion of coin here, and being melted, the product may be reduced to the standard. And for that the soldiers and poorer sort especially want the lesser and smaller sorts of money for change and to buy provisions with, this may accommodate them with small and necessary proportions. We have no power by our Instructions to give any considerable relief to grievances of this nature, and as we conceive it our duty faithfully to represent thus much so we doubt not but your Highness will seasonably take the same into consideration, which is very humbly desired and never-

theless most humbly submitted to your Highness' great wisdom and good pleasure." 16 April. *Ib.* ff. 148-9.

820. "Whereas the Council by their Declaration, dated 1st January 1654[-5], as also of 11th May 1655, published throughout the Province of Munster the benefit held forth unto the British Protestants there, by admitting them to the advantage of his Highness' Ordinance, entituled 'An Ordinance for Indemnity to the English Protestants of the Province of Munster in Ireland,' upon their compositions, which being nevertheless by them neglected, whereby they deprived themselves of the benefit intended them by the said Ordinance, it is thought fit and it is hereby referred to Wm. Basill Esq., Attorney-General to his Highness and the Commonwealth in this nation, to peruse and consider of the tenor and purport of the said Ordinance of his Highness and Council for indemnity, as also such other Ordinances or Acts as may concern the proceeding against Delinquents in the Province of Munster, comprehended within the said Ordinance, and to prepare Instructions and Rules for the better inquiry after such Delinquents that submitted to the Commonwealth before the year 1649, and were not instrumental in the rendition of Cork etc., that have estates to the value of £400 and upwards, as they were worth in 1638, or that have goods and chattels to the value of £8000, to the end their estates may be sequestered until they pay the penalties intended by the said Ordinance; as also after all such British Protestants that have continued in arms against the forces of this Commonwealth or remained in obedience to the enemy after December 1649, having estates in lands, above all reprises, of £50 or upwards, as lands were worth to be let in 1638, or at present in goods and chattels to the value of £500 or upwards, that they also may be sequestered or incur the penalties mentioned in the said Ordinance; with what else the said Attorney-General shall think fit to offer concerning the Rules prescribed in the said Ordinance, or other Acts or Ordinances of Parliament thereunto relating, for the most speedy and effectual putting the same in execution for the best advantage of his Highness and the State." 18 April. General Orders A/10. 10. f. 69.

821. At a Committee of the Council. Present Henry Cromwell, Pepys, Corbett, Goodwin and Thomlinson.

“ Upon consideration had of the votes of the General Council [*sc.* of the army], and of the lots so solemnly cast in each province, and forasmuch as the provincial lots must necessarily be invaded if entire regiments be suffered to come out of one province into another, to the thrusting out other regiments entirely from the provincial lots in which they now are, to take their satisfaction in another province wherein they were not before, Resolved : that it be offered to the Council as the opinion of this Committee that, for the better establishing of the said provincial lots cast by the army as aforesaid, there is a necessity of establishing or at least of preventing the destroying and overthrowing the several regimental divisions or lots in each province.

“ Resolved : that, in taking satisfaction for their several and respective arrears, each province do receive like equal proportion of satisfaction one to another ; that for the supplying therefore of what deficiencies shall be found to be in one province out of the surplus which shall be found to be in another, and for the making the more equal division and distribution of the whole credit among themselves, these following Rules be observed, viz. :—

“ 1. That the several regimental divisions within those provinces, where the greater credit appears concerning the main of their lots, shall nevertheless pay back such a portion or part of their respective securities (now regimentally fallen to them) as shall, upon computation of the number of acres within the said security, be found to be above the proportion due to them according to the satisfaction, which shall be agreed upon to be given to the whole army.

“ 2. That this surplus or part, which shall be taken out from the several respective regimental divisions, shall be out of that part of their respective securities which lies most contiguous to the provinces where the deficiency is.

“ 3. That the said surplus shall be accepted by the respective provinces that are deficient, at the rates the provincial or regimental divisions have laid upon it, to the end that the security or credit in the whole be not lessened.

“ 4. That if it happen that any barony in one province be collateral security to another province and remain still uncast

into the proper lot of any regiment, in such case the said barony or baronies are to be accepted by the said respective provinces that are deficient as aforesaid, at such rates as other baronies of like quality and goodness in the same county have been rated at by the several regimental lots that have fallen in the said county.

“ 5 and lastly. That if the surplus, arising out of the said several regimental divisions, in one province will not suffice to answer the whole deficiency of its neighbouring province, in such case the remaining deficiency to be made up out of the third province, where the last largest and most entire surplus shall be found.

For the better understanding and putting in practice of which Rules.

“ Resolved: that it be further offered to the Council as the opinion of this Committee that the deficiency of the Province of Ulster be made up first out of the Barony of Duleek in County Meath, at such rates as baronies of like goodness in the said county have been rated at by the regimental divisions fallen in any part of the county as aforesaid, the remainder out of the two grand divisions of Leinster in that part, or in those baronies of the said respective divisions lying most contiguous to Ulster, where there shall be found a surplus, viz. either in the Barony of Kells, if a surplus be in the King's County division, or in the Barony of Ratoath if a surplus be in the Wexford division, each barony to be rated according to the rates already put upon them by the said divisions. But if it shall so happen that there is not a surplus in both of the said divisions, and that the surplus in one of the said divisions is not enough to answer the whole deficiency of Ulster, then the remainder to be out of the Province of Munster, in such barony or county where it may be best spared without disturbance of any regimental division or without entrenching upon the collateral security of Leinster.

“ 2. That if the Wexford division shall fall short, after the remaining lands in the County of Wexford, the two baronies of Ratoath and Dunboyne in the county of Meath and the Barony of Fassadinin in the County of Kilkenny have been set out unto them, the said deficiency is to be supplied out of the surplus of the Queen's County, if any, according to the agreement made among themselves between the two provincial divisions;

secondly out of the baronies of Crannagh and Galway in the County of Kilkenny, at such rates as have been before mentioned in the fourth rule of direction ; thirdly out of that part in Tipperary lying contiguous to Leinster, where a surplus shall be found in any of the adjoining regimental divisions. All which if not sufficient to answer the said deficiency, the remainder to be in such other barony or county in Munster where it may be best spared without disturbance of any regimental lot, and where the greatest and most entire surplus of land shall be found." 23 April. *Ib.* ff. 66-8.

822. "Finding, by a paper this day presented to the Committee [of the Council], that there hath not been that concurrence (in the Resolves of the above debate) as was hoped for, or that the same is so signed or such an expedient agreed upon as was expected, [it is] ordered that the said paper be forthwith returned unto Sir H. Waller, Cols. Sankey, Abbot, Lawrence, Major Morgan and Capt. Franklin,¹ who are desired to resume the said paper of Resolves into further consideration, and having mutually agreed thereupon, or upon some other expedient, to make a return unto this Board, signed by five or more of them by Monday next in the afternoon." 25 April. *Ib.* f. 70.

823. T. HERBERT TO THE COMMISSIONERS AT ATHLONE.

"The Council are very well satisfied with your care and diligence in your speedy and effectual carrying on the public service you have in trust, and, seeing they have given a limitation of time for receiving of claims, are hopeful the whole work will seasonably be determined. And albeit they doubt not, but that in all your proceedings you take special care that (by discriminations and other examinations of the delinquencies of Irish proprietors and others) the Commonwealth be furnished with what possible evidence can be had, before you give sentence in any cause depending before you ; nevertheless for their better satisfaction, where (upon the whole matter) you may be induced to believe that a constant good affection is or may be proved, they desire before judgment be given, or your private

¹ Captain Richard Franklin of Fleetwood's regiment.

sense be divulged, that you would send unto this Board a brief and true state of the case (and in such case only) together with the substance or abstract of the depositions and evidence *pro et con*, to the end they may return their sense therein (if there appear cause) before the interest of the Commonwealth be concluded." 25 April. Letters of Lord Deputy and Council A/30. 28. f. 157.

824. "The Council being informed that the inhabitants of Ring's End in the County of Dublin have lately put up a Maypole there (a custom derived from the heathen and practised by a sort of profane and licentious people) to the just offence of divers sober-minded Christians and contempt of authority," order is hereby given to pull it down and to examine who the actors of it were. 3 May. Orders A/10. 10. f. 74.

825. Upon consideration had of a letter presented unto this Board from the Commissioners of the Court of Claims and Qualifications sitting at Athlone, for permission to dissolve the said Court when they judged the business done, though the time mentioned in their Commission be not elapsed, it is ordered that they may do so. 5 May. *Ib.* f. 75.

826. T. HERBERT TO LORD DEPUTY FLEETWOOD.

"His Highness' Council here, for the more effectual carrying on the work of transplantation, have caused a strict and general inquiry to be made after such Irish, who are transplantable into Connaught, and more especially concerning swordsmen and proprietors, who, notwithstanding the many Orders and Declarations enjoining their remove, have nevertheless delayed the same, upon which account many have been apprehended and committed to prison, which by former letters the Council have advertised your Lordship of, and have desired that some speedy consideration might be had thereof, by representing the great charge the public is unavoidably put to during their restraint, which hath been long and may, besides the expense and travail accompanying this affair, prove a very great prejudice to his Highness' service here, unless some

speedy course be taken for disposing of them where his Highness may conceive most convenient. This continuance of so great a number for so long a time hath so much exceeded the Council's expectation and hopes that they have commanded me to present thus much unto your Lordship, withal desiring that you would have equal resentments with themselves concerning it, and be pleased to quicken such orders as may be held fit for lessening this charge, and, by a seasonable disposure of the said Irish, give you the greater encouragement to advance the truth they so earnestly desire to prosecute, so far forth as may be found consistent with public good." 7 May. Letters of Lord Deputy and Council A/30. 28. f. 159.

827. RESOLVES OF HIS HIGHNESS THE LORD PROTECTOR'S COUNCIL FOR THE AFFAIRS OF IRELAND IN ORDER TO THE SATISFYING THE ARREARS DUE TO THE ARMY, DELIVERED TO SIR H. WALLER.

"1. That all the forfeited lands within the three provinces, liable to the satisfaction of the arrears due to the army (excepting the three counties of Wicklow, Longford and Donegal) be distributed and set out to the officers and soldiers of the army, to satisfy all arrears due unto them for service in Ireland since 6th June 1649, and also for their English arrears due before the said 6th June 1649, according to the Acts and Ordinances of Parliament, or of his Highness the Lord Protector and Council made in that behalf.

"2. That all the forfeited lands as aforesaid in each county and barony, within all the said provinces, already admeasured by Dr Petty, be accepted of by the army according to the contents of the surveys returned by the said Doctor.

"3. That Trustees be named by the army, who shall be empowered and authorised from this Board, to distribute and set forth the said forfeited lands (liable as aforesaid to satisfy the arrears of the army) unto the officers and soldiers in the three provinces aforesaid, answerable to their respective arrears.

"4. That the said Trustees shall take care and make effectual provision that due satisfaction be had and made for all just reprisals that are, or shall be adjudged and ordered by the

Council or Courts of Justice, or such Commissioners as by the said Council are or shall be authorised.

“ 5. That the said Trustees do likewise take effectual care and make provision that a due and equal satisfaction be given to the officers and soldiers disbanded in 1653, according to the promise and agreement made with them by the General Council of the army.” 9 May. Orders A/10. 10. f. 77.

828. “ Ordered that the Master of the Rolls, Attorney-General, Auditors-General and Surveyor-General do meet and consider of a form for such particulars of lands, to be presented this Board, as shall be conceived fit to pass patents for the same under the Broad Seal, consideration being had to the Acts and Ordinances, pursuant to which the grants of the said lands are to pass.” 9 May. *Ib.* f. 80.

829. “ The Council having considered of the paper presented unto this Board from several principal officers of the army, dated 9th May inst., and signed by Sir H. Waller, in the name and by the appointment of the said officers, appearing thereby that the several heads of the late Resolves of the Council, concerning the satisfaction of the arrears of the army, was that day debated, and being put to the question, was gratefully accepted of by the said officers with this addition, viz. ‘ That the security allowed by his Highness’ Ordinance of 23rd June 1654 (entituled—An Ordinance for the further encouragement of the Adventurers and Soldiers in Ireland) be added to the first paragraph’ ; taking likewise into due consideration the Resolve of the said Committee of officers, dated 12th May inst., wherein it is proposed that Col. Abbot, Col. Sadler, and Major Morgan with Vincent Gookin Esq., Dr W. Petty, and Major Miles Symner (being by the said officers proposed as fit persons) to be Trustees for prosecuting of the business mentioned in the said Resolves of the Council and that three or more of them be a quorum, ordered that the desires of the officers above-mentioned be agreed with.” 14 May. *Ib.* f. 83.¹

830. Ordered that the sheriffs in the respective counties do

¹ The above documents, 827-829, provided a basis for the general order of 20 May, printed in Petty’s *History of the Down Survey*, pp. 85-87.

set at liberty the Irish committed for not transplanting, upon their giving security to transplant, except such as are in prison for debt or murder. 21 May. *Ib.* f. 90.

831. Order prohibiting exportation of timber, and for preservation of woods in and about Wexford and Carlow. 26 May. *Ib.* f. 88.

832. T. HERBERT TO THE COMMISSIONERS AT LOUGHREA.

“ . . . Concerning Leitrim, it is a place of such natural strength, by reason of bog, wood and mountain, [that] it is not held fit that the [Irish] proprietors have their proportions assigned them in that county notwithstanding the Decrees given in their behalf ; but that rather they be set down in the baronies of Erris, Murrisk and Burrishoole in the County of Mayo,¹ where the lands have the nearest resemblance to their own county. . . .”
27 May. Letters of Lord Deputy and Council A/30. 20. f. 161.

833. “ Ordered that Mr Attorney-General Basill do examine what precedents have been used in the discovering former concealed estates, and to certify unto this Board what way he conceives best for the effectual and seasonable discovery of such lands or estates in Ireland as are concealed from his Highness and the State, and how to put the same into speedy and due execution.” 3 June. Orders A/10. 10. f. 94.

834. Ordered that it be referred to the two Chief Justices of Upper Bench and Common Pleas etc. to consider the Instruction that “ Crown lands, bishops’, deans and chapters’ lands, cities, corporate towns, and the lands common of pasture, and other hereditaments heretofore belonging unto cities and corporate towns and within the liberties thereof in Ireland, be reserved for the State’s use, and be fully distinguished from the forfeited lands in each county and barony set apart for the satisfaction of the Adventurers and soldiers,” and to

¹ There was a good deal of indecision in this matter (see below, No. 842). Finally it was determined (No. 846) that with the exception of the barony of Tirawley and such other parts of co. Mayo as had not been already assigned in satisfaction of soldiers’ arrears before ’49 should be given up to the Irish transplanters.

return their opinion whether by virtue of it the houses and lands lately belonging unto any Irish proprietor or other rebel, lying or being within any city or town corporate be reserved from being liable to the satisfaction of Adventurers and soldiers. 4 June. *Ib.* f. 92.

835. Ordered that Col. Cooper,¹ Commander-in-Chief of the Province of Ulster, do remove the Irish Papists still remaining in the counties of Cavan and Monaghan. 5 June. *Ib.* ff. 103-4.

836. "Whereas by a Declaration of the late Commissioners of the Commonwealth, dated 17th July 1654, a great part of the counties of Dublin, Kildare and Carlow, and the whole counties of Wexford and Wicklow were declared to be out of protection, a line drawn through the said counties, and, for the better preventing the harbouring and relieving of Tories, no Irish whatsoever, without special licence, was permitted to live or reside without that line; notwithstanding which, and other Orders and Declarations subsequent thereto, divers of the Irish nation, as is credibly informed, have of late removed themselves, as also their families and substance, out of the neighbouring counties into the said County of Wicklow, whereby that fast country is in short time likely to become a nest and sheltering place of loose and dangerous persons, who, from the great fastnesses there, may have the means and opportunity to disturb the quiet and peace of that county, if not timely prevented, it is therefore thought fit and ordered that his Excellency the Lord Henry Cromwell, Commander-in-Chief of his Highness' forces in this nation, be desired to inform himself concerning the same and to give special orders and directions for the speedy and effectual removal and exclusion of all such Irish Papists out of the said County of Wicklow, as

¹ Col. Thomas Cooper, said to have been a shopkeeper or salter in Southwark, and a member of Dr Thomas Goodwin's congregation, was a staunch supporter of the Protector, and it was probably as much for this reason and in order that he might prove a support to Henry Cromwell, as for his intimate knowledge of Scottish affairs that he had been in January 1656 appointed Governor of Carrickfergus. A number of his letters at this time, showing him to have been diligent and alert in the execution of his office, are printed in Thurloe's *State Papers*. Despite his attachment to Cromwell he was a man of strong republican principles, and during the commotions that preceded the Restoration he seems to have sided with Ludlow; but he died rather suddenly towards the close of 1659.

have presumed to return and to inhabit there . . . it being hoped and intended the same should be thoroughly and seasonably planted and inhabited by Protestants of this and the English nation." 10 June. *Ib.* f. 105.

837. Ordered that Sir John Temple, Master of the Rolls, Sir Robert Meredith, Chancellor of the Exchequer, James Donnellan, Dr Henry Jones, John Bridges Esq. and Thomas Hooke,¹ alderman of Dublin, or any three or more of them be appointed Commissioners for hearing and determining all such differences as may have arisen amongst the Adventurers concerning lands. 13 June. Commissions etc. A/26. 24. f. 227.

838. Whereas the Council by their letter of 25th April last desired, (for their better satisfaction) that the Commissioners sitting at Athlone, in all cases depending before them (wherein they might be induced to believe that a constant good affection is or might be proved) before judgment should be given or their private sense divulged, would send unto this Board a brief and true state of the case, together with the substance of the depositions and evidence *pro et con*; the Council having further considered thereof, and of the shortness of the time the said Commissioners have to sit at Athlone to hear and determine the claims and qualifications of the transplantable persons, and of the inconveniency that may befall particular persons concerned therein, have thought fit hereby to order that the said Commissioners do for the future proceed to the final adjudication of the respective claims and qualifications of all such persons that shall endeavour the proving their constant good affection, that are now or shall be depending before them, without transmitting their cases to this Board. 16 June. Orders A/10. 10. f. 110.

839. "The Council taking into consideration the best ways and means how all such persons of the Irish nation, who have

¹ "Alderman Hooke of Dublin is a person, who through all the several revolutions in Ireland, did still continue constant to the Parliament's interest, and yet remains not only well affected himself to his Highness' person and government, but hath been active in bringing others also to the same persuasion. He is a man of good repute for godliness and sobriety, and withal faithful and industrious in the several public employments whereunto he hath been called." Henry Cromwell to Thurloe, 15 July 1657. Thurloe's *State Papers*, vi, p. 405.

right to articles or to any favour and mercy, held forth by any the Qualifications in the Act of Parliament, entituled 'An Act for the settling of Ireland,' may enjoy the benefit intended to them and every of them respectively, and how all such persons as are transplantable in the Province of Connaught and County of Clare, and that shall transplant themselves accordingly, may effectually and speedily have and receive a like proportion of land, by measure or in value, in the Province of Connaught and County of Clare, and of the like estate of inheritance, freehold, or for the like term of years, or number of lives, to be by them held and enjoyed in lieu and satisfaction of such part of their estate, which by such articles or qualifications he or they were and are to enjoy, the Council, in pursuance of the trust to them committed, have nominated, constituted and appointed . . . John Cook, John Santhy and William Halsey Esqs., or any two of them to be Commissioners¹

¹ The Commissioners, known shortly as the Mallow Commissioners, having on 19 July appointed "examinators" at Cork, Kinsale and Youghal to issue summonses and to call all such witnesses as were thought necessary to prove the good affection of the Irish in those towns, opened their court of inquiry at Mallow on 22 July, and closed it on 29 Sept. Their proceedings have been preserved in the volume of Commonwealth Records, marked A/61. 39. (See Appendix to Report xiv of the Deputy Keeper of the Public Records in Ireland, p. 40, with some observations—not quite accurate—by Sir Bernard Burke.)

The verdict in the case of Thomas Toomey, and the scene in Court when it was announced, is given in Prendergast's *Cromwellian Settlement*, pp. 170-174. The evidence on which it was based was as follows:—

"July 22nd 1656. Mallow. Commissioners present: John Cooke, John Santhey, William Halsey. The Commission empowering the said Commissioners to act being this day read and proclamation made that all manner of persons that have anything to do before the said Commissioners should give their appearance, and no persons appearing, it is ordered that the Court do adjourn until to-morrow morning at nine o'clock. . . .

"July 29th 1656. Justice Cooke, Justice Halsey present.

Thomas Toomey of Kinsale: he claims a lease of a house in Kinsale made in 1635.

Thomas Genins of Kinsale, sworn, saith he lived about the country in the west in the beginning of the Rebellion; that the Rebellion began 15 or 16 years ago, that he knew Claimant 14 years ago, that he was a soldier under the command of Captain Farlo, that he quartered soldiers in Kinsale; that the Deponent came to Kinsale at Christmas 1641 and that he continued there ever since; that he saw the Claimant there, that the Claimant was a corporal under Capt. Farlo for 4 years at the beginning of the Rebellion; that after he went to Mr Chidley the chief ship-master; the Claimant fled out of Kinsale when Prince Rupert came there, and went to Polylong, where one Mr Roch lived; that there were some soldiers (to keep his cattle) that belonged to one Capt. Hoop of Bandon; that he worked for the State's ships.

Martin Farlo, sworn, saith he knew the Claimant, that he was under the command of the Deponent's father about Easter 1642 on the train-band of Kinsale, that they kept the town of Kinsale and they were besieged by the Rebels; that the Claimant was a soldier under Capt. Josias Farlo when the town was besieged; that there was about 50 or 60 families of Irish in Kinsale in

for the ends and purposes aforesaid, and do hereby grant full power and authority unto them, or any two of them to hear and determine, according to law and the directions and rules hereafter mentioned, all claims and demands in or to any lands, tenements and hereditaments made or to be made by any person or persons

the first years of the Rebellion, and about as many English families ; that Prince Rupert stayed in Kinsale about a year and a half ; that the Claimant was in Kinsale ; that in the year that Prince Rupert was in Kinsale the Deponent knows not that the inhabitants of Kinsale did watch and ward.

Dominick Roch, papist, sworn, saith he knows the Claimant, that at the beginning of the Rebellion he lived in Kinsale, to wit the years 1641 and 1642 ; that Capt. Farlo was a commander of the train-band in Kinsale, and was chosen captain after the beginning of the Rebellion, to wit about Christmas '41, by Sir Wm. St Leger.

Robert Southwell, Esq., sworn, saith he knew the Claimant long before and since the beginning of the Rebellion to have lived at Kinsale, that he is by trade a shipwright and worked for the Commonwealth, whenever he was called on, that he was reputed an honest man ; that English and Irish watched at Kinsale in 1641, 2, 3, 4, 5, 6, and 7 ; that they watched and warded when Prince Rupert was in town ; that the Claimant watched as much as any man in the town ; that he contributed to the maintenance of the English army.

The Court gives liberty to the Counsel at Bar by to-morrow morning to speak in this cause as being the leading cause on which most of the claimants depend.

" July 30, 1656. Justices Cooke and Halsey present. Court adjourned till afternoon. Justices Cooke, Santhey, Halsey present. Thomas Toomey's case in further hearing.

Robert Southwell, Esq., sworn, saith that the letter now showed him is the handwriting of Mr Geathing, and the name subscribed is the proper handwriting of Sir Wm. St Leger ; that Lt. Michael Birne was sent to Kinsale by the Lord President St Leger before Sir Wm. St Leger came into Cork upon the request of the corporation ; that the said Birne came by sea with 40 men, that the soldiers were kept on free quarters ; that when Sougawne came to Kinsale the inhabitants of Kinsale shut the gates against the Irish and kept them out ; that the meetings of the inhabitants of Kinsale commonly met at the sovereign's house and the Irish as well as the English desired that the Lord President should be sent unto for help and Capt. Kettlebee kept the fort.

Richard Browne, sworn, saith that when the sovereign and town met in Jan. 1641[-2], the sovereign and the town consented to send to the Lord President for supply ; that there were 3 Irish for one English in the town ; he knows Thomas Toomey, he was a soldier, watched and warded, that he quartered the soldiers sent in by the Lord President according to his share ; that Muskerry and Barry about April 1642 sent a summons to the town of Kinsale directed to one Mr James Roch with others, who went to the sovereign with it, and the sovereign and they to whom it was sent renounced it ; that Barry Oge came with an army before they sent the summons to besiege Kinsale, that they burned houses at the town's end and took away cattle ; that Col. Crosby in 1649 about Oct. or Nov. came with 6 or 7 colours to Kinsale and the gates were shut upon them, then he drew his men on the backside of the town and drew his men over the fort and came into the town at the backside ; that they declared for the Parliament about a fortnight after Cork declared ; that Crosby had three companies in the fort who came into the town at their pleasure ; that the Deponent was sent by the town to Cork to declare for and submit to the Lord of Broghill, who was for the Parliament.

Robert Southwell, sworn, saith that in the year after Inchiquin revolted contribution was collected by the magistrate and paid to his receiver ; that distresses were taken on every levy, that none durst refuse payment of contribution to Inchiquin and none did refuse ; that the assessment continued from his revolt till the town declared for the Parliament . . .

of the Irish nation, who inhabited or do now inhabit in or near the towns of Cork, Youghal, or Kinsale respectively, and shall by good and sufficient testimony make it appear that they were or have been active, by countenancing, aiding and assisting for and towards the admission of Sir Wm. St Leger, then President

“ August 30th 1656. This day the Claimant's Counsel demanded the judgment of the Court upon the point of constant good affection, first in the cause of Thomas Toomey of Kinsale, whether upon proofs he hath manifested constant good affection ” etc. as in Prendergast, *Cromwellian Settlement*, p. 170.

More interesting even than Toomey's case, as showing how well-nigh impossible it was for an Irish Catholic to prove constant good affection, is that of Ormond's mother, the Viscountess Thurles, with which the volume closes.

“ The Commissioners to the Lord Deputy and Council. May it please your Lordships, By virtue of a reference from your honours (bearing date 28th July last) grounded upon a special application made to the Board, by the Hon. Sir H. Waller, Col. Sankey and other officers of eminency in the army, in the behalf of the Lady Viscountess of Thurles. The said Lady made claim before us to a constant good affection to the interest of the Commonwealth of England, and we having summoned Mr Gunn, Agent for the Adventurers, affidavit was made of the service, and, he not appearing, we entered into the consideration thereof upon the 9th day of this month, and heard as well the Counsel for the Commonwealth, as the said Lady's Counsel, and upon full hearing of the said cause, it appeared to us by the testimony upon oath of divers English Protestant witnesses of good credit, that the said Lady did several times in the year 1641 harbour, entertain and preserve from murder and famine divers English families, whom the Irish had plundered and robbed and attempted to murder, as particularly the said deponents and their families, Mr Bullock and his family, Joan Harris and her family, Mr Price a minister and his family, and divers other persons and their families (particularly in the evidence named) to the number of near three score persons, all which she hath, at her own charge, maintained in her house until the year 1643, when in the time of Cessation, some of them betook themselves to Dublin and others to Cork, and for the accommodation of them in their journeys were supplied by the said Lady with monies and other necessaries, and with such of them as repaired to Dublin did send her letters of favour to her son, the Earl of Ormond in their behalfs.

It likewise appeared that in the year 1641 she did from time to time relieve and correspond with Major Henry Peisley and the English garrison he commanded in the Castle of Archerstown, and also the English garrison in Beakstown, and that the said Major Peisley being besieged by the Irish and overcharged in his garrison by numbers of old men, women and children, the said Lady gave him intimation she would make means for the private conveyance of them to her house, and there secure and maintain them and that Major Peisley thankfully assenting thereunto, the said Lady employed some of her servants in that work, who brought safe from the said garrison to her house at Thurles, the number of 14 old men, women, and children, all or most of whom were continually maintained at the said Lady's charge in her house ever since.

It likewise appeared as well by the testimony aforesaid as by letters under the hand of Sir Wm. St Leger, sometime Lord President of Munster, that the said Lady kept continual correspondency with him after the irruption of the Rebellion, and that he had a very tender esteem and regard for her, and looked on her as one of the English party, and that the said Lady did by her words, expressions and behaviour continually declare her detestation and abhorrence of the Rebellion and rebels, and her affection for and fellow-feeling of the miseries and sufferings of the poor English.

It appeared likewise that Major Peisley being forced to yield his garrison to the rebels, and himself and others of his company being wounded and otherwise much spent out and weakened, she invited him, his whole family and company to her house and entertained them for some weeks, until being well cured and

of Munster into those towns or any of them, in order to preserve them and the country from the Irish rebels in the first year of the Rebellion or thereabouts for the Interest of the Commonwealth, being or that have been Popish Recusants that are transplantable etc. *pro ut* in their Commission 7th February 1655[-6].” 18 June. Commissions etc. A/26. 24. f. 226.

840. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

“Forasmuch as there appeareth some difficulty in setting out lands to the Committee of Claims, due to them by Ordinance in satisfaction of £2621, his Highness and Council have thought

refreshed, and being by her supplied with monies and other necessities, they betook themselves to Doneraile an English garrison. That Sir Charles Vavasour being wounded and taken prisoner by the rebels some time before the Cessation and imprisoned at Clonmel, the said Lady did oftentimes send monies to him for his supply and afterwards, he being sick and in very weak condition, procured, with difficulty, liberty for him to come to her house, where care was taken for his cure, which being effected she supplied him with monies and he departed.

And that the said Lady did in the years 1643, '44, '45 and '46 lend many considerable sums of money for the relief of the English army, as particularly £300 at one time, £500 at another, and divers other sums. It appeared also that when the Lord Inchiquin, with the English army he commanded before his defection, marched into the County of Tipperary, he looked upon the said Lady as English, and of English interest and affection, insomuch that continually he issued his order for the preservation of her, her tenants and interests, and that the Irish, for her aversion to their rebellion and horrid proceedings, looked upon her as their enemy, insomuch as they at several times pillaged and plundered her, viz. of 1500 sheep, 3 score cows and of great number of horses, mares and colts, broke down her weirs, and threatened to pull her house down about her ears if she did not give up the poor English to their fury and cruelty, which she constantly and resolutely refused. That Owen Roe O'Neill, with a great army, marching by her house and looking on her as an enemy, commanded from her 200 beeves, which she refused, and thereof gave advertisement to the Lord of Inchiquin, who came to her relief and repulsed O'Neill. That when his Highness sat before Fethard in the county of Tipperary, Lt.-Col. Bryan O'Neill, with about 1500 men of the Irish army, well appointed came to the said Lady's town of Thurles and desired admission with his party to garrison in her house, which she refused, and immediately sent advertisement to his Highness thereof, and prayed he would be pleased to send her a garrison of his army, whereupon Major Bolton with a regiment of horse and 300 foot was immediately commanded away to her house. A certificate of Major Bolton was produced declaring the same, as likewise that the said Lady was instrumental in the rendition of Cahir castle, and that his Highness in consideration thereof had promised a gratification of her, which was seconded with such effectual certificates from Col. Sankey, Major Greene and Col. Wm. Moore, which we take as good argument, though not in evidence. Upon the whole matter we find her a very deserving person, and yet her residence having been during the Rebellion in the Irish quarters, and being obliged by our Commission and by your Lordships' said reference to proceed according to law, and not having adjudged a constant good affection to any whose constant residency have been in the Irish quarters during the Rebellion, we do humbly present to your Lordships the state of the case and difficulties thereupon and submit them to your Lordships and remain yours etc. J. Cook, J. Santhy, Wm. Halsey. Mallow, 13 Aug. 1656.”

fit to authorise you to set out, grant and demise unto Methuselah Turner and the rest of the said Committee for the term of 99 years, reserving some small yearly rent to his Highness and successors, 3000 acres ¹ of land, Irish measure, of the late bishops lying within the County of Limerick in satisfaction of the said lands intended by the said Ordinance to have been granted to them, with the like advantages, liberties and privileges as any Adventurer for lands in Ireland might and ought to enjoy." 20 June. Letters of the Lord Protector and Council A/28. 26. f. 82.

841. Ordered that the Trustees of the army do give notice to officers and soldiers that they may have letters patents (in accordance with the Instructions of the Lord Protector dated 27th March last) for their lands, if they desire the benefit thereof. 23 June. Orders A/10. 10. f. 118.

842. "Whereas two-third parts of the County of Mayo in the Province of Connaught hath been already assigned for the satisfaction of arrears before 1649, and is tenanted with English inhabitants for the most part; and forasmuch as it is thought advisable that the other remaining third part (being the maritime part and bordering most upon the sea) should be likewise planted with English, that importing most of public safety and advantage, it is thought fit and ordered, for the ends and purposes aforesaid, that the Surveyor-General of lands and likewise the Commissioners sitting at Loughrea do take care from time to time that no Irish be permitted to set down within the said county,² either as proprietors or tenants to the Commonwealth for any lands there, to the end it be planted with such as are Protestants or of the English nation." 24 June. *Ib.* f. 123.

843. "Upon consideration had of what hath been proposed unto this Board by the Trustees of the army, concerning satisfaction for arrears to be given to widows, orphans, or maimed soldiers, it appearing that they are comprehended within the Rule of the

¹ These 3000 acres represented the penny in the pound on all Adventures secured to the Committee of Claims "towards defraying of all incident charges here for carrying on this service," by Order of Council of 1 June 1653.

² See above, p. 601, note.

Act to receive their satisfaction within the baronies ¹ set apart by the said Act to satisfy widows etc., the Council will take care that such arrears shall be satisfied either in land or money to the full value ; provided that all their debentures be brought in before 1st May 1657." 24 June. *Ib.* f. 125.

844. In pursuance of an Act for the speedy and effectual satisfaction of Adventurers, it is ordered that Vincent Gookin,² Wm. Petty and Miles Symner, or any two or more of them, be Commissioners for the equal distributing and setting forth to the officers and soldiers all the aforesaid forfeited lands in satisfaction of the arrears due to them for service in Ireland since 6th June 1649, and for the English arrears due before the said 6th June 1649, according to the rules and directions given by the said Act. 7 July. Commissions etc. A/26. 24. f. 231.

845. Ordered that the Commission to Commissioners at Loughrea be continued till 10th September 1656. 11 July. *Ib.* f. 239.

846. Whereas certain proposals from the Commissioners at Loughrea have been read.

1. To the first representing that the lands now undisposed of in Connaught and Clare (except the lines, the two excepted baronies and County of Leitrim) are not sufficient to satisfy the Decrees already come to the said Commissioners, and that the remaining lands are mostly waste and remote they propose

¹ Viz. Imokilly, co. Cork, and Balrothery and Coolock, co. Dublin. See p. 519.

² Vincent Gookin, the eldest son of Sir Vincent Gookin of Courtmacsherry, co. Cork, is best known by his famous pamphlet, "The Great Case of Transplantation Discussed," in which he argued that it was contrary to "religion, profit and safety" to strictly enforce the scheme of transplanting the Irish bodily into Connaught as set forth in the Act for the Settlement of Ireland. Gookin's views are interesting, not merely from the immediate point of view of the Transplantation, but as evidence of how residence in Ireland has always tended to draw English settlers and Irish natives together in one common interest. Gookin's father was the author of "a most bitter invective" against the Irish which enraged even Strafford: his son, owing to his sympathy with them, was described as a degenerate Englishman. Gookin's pamphlet was vehemently denounced by Fleetwood, and produced a reply from Col. Richard Lawrence entitled "The Interest of England in the Irish Transplantation Stated." All the same there is no reason to regard the above Order, as Lord Fitzmaurice in his *Life of Petty*, p. 57, does, as "the triumph of the ideas of the civilian party over the rapacity of the officers and the defeat of the fanatical section amongst the latter." Gookin owed his appointment to the fact that like Petty and Symner he was a land surveyor.

that part of the lands in the lines be added to the latter, especially upon large Decrees of 500 acres and more, the Council having considered thereof and of an Order of the Board, dated 3 March 1655[-6] whereby the line was to extend three Irish miles from the Shannon and sea, it is now thought fit that the said line be contracted to one mile statute ; further that the forfeited lands in the line formerly excepted and undisposed within the County of Mayo and territory of Ir-Connaught be set out to satisfy the claims of the Irish, except one mile in compass about the garrisons of Broadhaven, Borowen, Clagganbay, the isles of Aran and Innisboffin, which lands and islands are to be reserved from the Irish as aforesaid. And it is further ordered that the said Commissioners have power to reserve forfeited lands, containing three miles, contiguous to Portumna, besides the park, garden etc. joining thereto, as also to the castle of Athlone, the garrison of Jamestown, the city of Limerick and pass of Killaloe, three miles upon the Connaught side, contiguous to the said garrisons and places—all which lands are not to be disposed to any Irish or others, but to be kept for the use of his Highness and the State ; also that 1000 acres be reserved about such other standing garrisons as are now erected in Connaught and Clare (as contained in the list appended) ; and also that the lands be reserved upon which there is growing any considerable quantity of timber, especially if the same be upon any navigable river.

And whereas Athenry, Ballintober, Shrule, Gort and Akin have by former orders been set apart for English plantations, it is thought fit that Athenry, with so much forfeited lands as contain two miles in compass about the said place be reserved from disposure, and that the lands be leased out for the benefit of his Highness and the State ; and that Shrule, Gort and Akin and the forfeited lands thereabouts be, by the said Commissioners, set out to transplantable persons, but in that case the walls must be pulled down and the places rendered untenable.

2. In reference to the impracticableness of the Rule for appointing certain baronies in Connaught for each county of the three other provinces, owing to the fact that many baronies are totally exhausted, it is ordered that the Commissioners have a care to assign lands as suitable as may be to the lands from which the Irish transplanter have been removed.

5. Assenting to their request that the remainder of County Sligo, not already assigned to the soldiers may be disposed of for the satisfaction of transplanter's Decrees—the Barony of Tirawley in County Mayo excepted.

10. As to whether persons who are possessed of lands *de bene esse* (by order of the Board) in order to their final settlement, and have since been adjudged to fall under the first Qualification, or have not prosecuted their claims at Athlone, are to be continued on the lands so assigned to them, now the Court of Athlone is determined, they are to remain on the lands assigned to them till further Order.

11. In regard to their request that a date may be fixed limiting the time for presenting Decrees, so that the Commissioners may come to some knowledge of what quantity of land is required for their satisfaction, it is ordered that 10th August next be fixed as the date and that the Lord President of Connaught do give speedy and public notice of the same to all that are therein concerned.

12. To the last, the Commission is prolonged till 10th September next. 17 July. *Ib.* ff. 233-7.

847. Whereas by former Instructions dated 3rd March 1655[-6] certain places were appointed garrisons within which, or within one English mile of which no Papist Recusant, or other persons transplantable were admitted to reside or to have lands appointed or allotted to them viz. [see *supra*, p. 524]; and whereas by further Instructions dated 17th of this month a proportion of forfeited land is ordered to be reserved about Galway, the Isles of Aran and Boffin, Clagganbay, Broadhaven and Borowen, as also about Athlone, Portumna, Limerick, Killaloe, Athenry, part of Tirawley and Sligo; and that 1000 acres of like forfeited lands shall be reserved about such other garrisons as are now erected and to be continued in Connaught and Clare, it is ordered that it be referred to Sir C. Coote to consider of the above list. 18 July. *Ib.* f. 238.

848. Ordered that Mr Brewster¹ do catechise the children at Christ Church. 18 July. Orders A/10. 10. f. 134.

¹ Nathaniel Brewster, minister of Christ Church, Dublin.

849. Whereas by the Act 17 Charles a constant yearly rent is reserved out of every acre of land forfeited through the late horrid Rebellion in Ireland, liable to the satisfaction of the debt claimed by the Adventurers and army, and issuable according to the proportions of the respective provinces, it is ordered that it be referred to the Chief Justice of either Bench to consider whether the yearly rent reserved is to be charged upon acres according to Irish or English measure. 18 July. *Ib.* f. 134.

850. Ordered that July 25th be observed as a day of fast and prayer in Ireland. 21 July. *Ib.* f. 135.

851. INSTRUCTIONS FOR MAJOR ANTHONY MORGAN.

1. Necessary that the £17,000 *per mensem* be supplied.¹
2. To arrange for a constant supply without troubling his Highness, *ut supra* p. 560, Art. 9.
3. Necessity of establishing a mint.
4. *Ut supra* p. 560, Art. 4.
5. To move his Highness that encouragement be given to considerable merchants of London to inhabit the town of Galway, which, by the expulsion of the Irish, is almost depopulated, and the houses like to drop down for want of inhabitants.
6. *Ut supra* p. 560, Art. 3.
7. *Ut supra* p. 561, Art. 10.
8. To learn his Highness' pleasure concerning certain Irish (who have been officers amongst the rebels) captured in a man-of-war from Ostend and now prisoners at Cork.
9. To represent to his Highness and Council that the last Instructions give a longer time for the claims and titles, that are within the eleven counties, which is complained of by many Adventurers and soldiers as being contrary to his Highness' Ordinance of 23rd June 1654, which did confine them to October 1654; and to desire his Highness' pleasure therein.
10. Care for a guard of ships, there being divers pirates that invest the seas.
11. Unimportant.
12. At your first arrival in London to communicate these

¹ As in the Instructions given to Sir J. Reynolds above, pp. 560-561.

Instructions to the Lord Deputy. 22 July. Commissions etc. A/26. 24. ff. 240-1.

852. "Ordered by his Highness the Lord Protector and Council that the Lord Henry Cromwell do cause the Irish prisoners taken at sea and brought into Kinsale in Ireland to be forthwith tried and proceeded against as rebels, according to the laws of Ireland."¹ 22 July. Commissions etc. A/27. 25. f. 70.

853. Ordered touching the prisoners in Cork gaol, who are starving, that provision be made for them. 29 July. Orders A/10. 10. f. 138.

854. "Whereas the Council are given to understand that divers Irish Papists are now imprisoned in the county gaols in sundry places of Leinster and Munster for not transplanting into the Province of Connaught or County of Clare according to Order, by maintaining of whom the inhabitants of those parts are greatly impoverished, it is therefore thought fit and ordered that it be referred to John Hodder Esq. mayor of the City of Cork, Wm. Hawkins, High-Sheriff of that county, Col. Richard Lawrence, Lt.-Col. Finch and Abraham Savage or any two or more of them forthwith upon receipt hereof, to meet together and to examine what Irish or others are in the gaol of Kinsale upon the account aforesaid, and what the respective conditions of such persons are, and to take care that such of them, as shall upon due proof appear unto them to be loose and dangerous persons, be by the Governor there speedily put on board the vessel now riding in the harbour of Kinsale and bound for the Caribbee Islands, or otherwise to secure them until the said ship shall be ready to receive them on board. . . ." 29 July. *Ib.* f. 139.

855. Ordered that Friday next, 8th inst. be appointed as a day of public thanksgiving in commemoration of the victories of Lt.-General Jones and his forces over the enemy at Dungan Hill and Rathmines on the 2nd and 8th of this month. 1 Aug. *Ib.* f. 143.

¹ Order read at Council Board on 29th July.

856. Ordered that the Lord Henry Cromwell do consider how a militia may be erected and to find out what English and other well-affected persons inhabit in the respective counties of Ireland. 1 Aug. *Ib.* f. 144.

857. It being certified unto this Board that of late divers Irish and Scots, who were and ought to transplant out of Ulster into Connaught, have settled themselves in the County of Leitrim and do graze their cattle upon the mountains and fastnesses there, without paying any contribution ; and forasmuch as it is found to be of public prejudice and contrary to Declaration to permit such, it is ordered that it be referred to Sir C. Coote, and he is desired to take care that such Irish and Scots be removed with their families and substance into such part of Galway, Roscommon, Sligo and Clare as may be conceived fit. 1 Aug. *Ib.* f. 145.

858. T. HERBERT TO THE COMMISSIONERS AT LOUGHREA.

“ The enclosed petition was this day presented his Highness’ Council by Colonel Sadlier,¹ Governor of Galway, by which it appears he hath bought, from several transplanted Irishmen, some proportions of land which is to be set out in Connaught, pursuant to the Decree of the late Court at Athlone and, for his better conveniency, both in relation to his residence at Galway and provision for his family there, desires that the castle and lands about Clare (five miles or thereabouts from Galway) may be assigned him. Which request of his hath been considered of by the Council, who for the precedency thereof, and for that the like hath been denied others, think not fit to give any positive order therein. Nevertheless, having a due

¹ Col. Thomas Sadlier, or Sadler, came to Ireland in 1649, with Cromwell, in command of a regiment of foot. Next year he was instrumental in reducing the Irish garrisons at Pulkerry, Ballydoyne, Graney and Dunhill, and was for some time Governor of Wexford. In 1655 he was appointed to command the “ Irish Brigade,” sent that year into England, and on his return was appointed Governor of Galway in succession to Col. Stubbers. Knowing his republican zeal Sir C. Coote in 1659 inveigled him to Terrilan, and in his absence made himself master of Galway. (See the story in Prendergast, *Ireland from 1660-1690*, p. 5.) He was cashiered the army at the Restoration, and being suspected of intriguing against the Government was arrested by Broghill ; but being set at liberty he retired to the estate he had acquired, in settlement of his arrears, in co. Tipperary, and seems so far to have reconciled himself to Government as to be made High Sheriff of the county in 1666.

sense of his well-deserving from the State, and supposing that the barony he desires to receive satisfaction in will have sufficient and to spare for answering the qualifications of the Irish in the County of Cork, have given me this liberty to signify that it is their desire he should have lands assigned him there or where it may contribute to his accommodation, wherein you are to afford him what warrantable respect you may for his better conveniency and encouragement to plant, and security of that place, which if it be a house or place of any visible defence is not conceived fit to be entrusted with any Irish or Papists. What the quantity of the lands may be which he expects to have set out, his petition expresses not, and therefore you are to certify your proceedings herein unto your affectionate friend and servant." 4 Aug. Letters of Lord Deputy and Council A/30. 28. f. 171.

859. "Oliver P. Wm. Bury¹ of Grantham in the County of Lincoln Esq. to be of our Privy Council in Ireland and to receive and enjoy the like salary, benefits and advantages as the rest of our said Council." 4 Aug. Commissions etc. A/27. 25. f. 71.

860. Ordered that the Commission to the Commissioners sitting at Mallow, for the trial and adjudication of the Claims and Qualifications of the Irish natives of Cork etc. terminating on 10th inst. be hereby prolonged till 10th September next. 5 Aug. Commissions etc. A/26. 24. f. 244.

861. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"We understand by your letter of 8th September last that Col. Henry Markham, of whose constant fidelity and good service from the beginning, as well by our own knowledge as by your testimony, we are abundantly satisfied, hath been

¹ The appointment of William, afterwards Sir William Bury, described by Adair as "a religious prudent gentleman," was intended to strengthen Henry Cromwell's hands against his Anabaptist detractors. (*Cf. Thurloe, State Papers*, v, p. 213.) His commission was renewed to him on Henry's appointment as Deputy, but he was removed from office when the government of Ireland was once more transferred to the Commissioners of Parliament in July 1659. He did not, however, leave Ireland, but was instrumental with Coote and Broghill in paving the way for Charles' restoration, and was with them appointed a Commissioner for the government of Ireland pending the appointment of a Lord Lieutenant. He was knighted; but died shortly afterwards, in 1661.

prosecuted at law by the Earl of Meath [*i.e.* Westmeath] for some acts by him done with other Commissioners of the Revenue in Ireland about the sequestration of the said Earl's estate, wherein they did only pursue the Orders and Instructions given them by the then Commissioners of Parliament for the public service. We may well wonder that any person who hath been obnoxious should presume to molest a public officer, barely for discharging his duty and being faithful in his trust, and hold ourselves obliged to secure and indemnify such against such proceedings, which, should they be permitted, would be an ill requital to those who have deserved well and a discouragement to others for the future, and therefore we have thought fit to recommend the same unto your especial care. . . ."

Whitehall, 9 Aug. Letters of Lord Protector and Council A/28. 26. f. 96.

862. A particular account of such places as are now garrisoned in County Clare and Province of Connaught conceived fit by Sir C. Coote to be continued for standing garrisons viz.: In County Clare—Carrigaholt, Lemanagh, Clare Castle, Inchicronan and Killaloe.

In County Galway—the town of Galway, the isles of Aran, Innisbofin, Claggan-bay, Lettermullan, Meelick, Banagher, Ballymoe.

In County Roscommon—Athlone, Ballinester, Termonbarry, Bellatrana, Cam Island, Ballyleague and Ballinasloe.

In County Sligo—the town of Sligo, Bellahy, Ballinafad, Ballymote.

In County Mayo—Cahernamart [Westport], Ballylahan, Broadhaven.

In County Leitrim—Jamestown, Carrickdrumrusk [Carrick-on-Shannon], Fenagh, Tonmonaughan. 12 Aug. Orders A/10. 10. ff. 15-16.

863. T. HERBERT TO CAPTAIN EVANS.¹

"The Council (having considered of your letter craving their resolution to your several queries therein concerning the

¹ Probably Capt. George Evans of Ballygrenane, co. Limerick, son of John Evans, who came to Ireland and settled in Limerick early in James I's reign, and was the ancestor of Evans, Lord Carbery. See Lodge. Ed. Archdall, vii, p. 39.

election of fit members for those counties to sit in Parliament) have thought fit to return you no other answer than you are to observe the directions contained in the Instrument of Government and published by His Highness' special command. . . ." 12 Aug. Letters of Lord Deputy and Council A/30. 28. f. 173.

864. The Council, taking into consideration the many complaints made unto them from the several parts of this nation, of the great inequality that is generally used in assessing and apportioning the monthly contribution and other taxes and charges on the several baronies, it is ordered that the Judges of the Assizes in their respective circuits do commend it to the special care of such of the Justices of the Peace, in the respective counties where they come, as they shall judge most fit for that service, with some of the most knowing and able inhabitants, to consider as well the extent and quantity of lands in each barony as of the goodness and condition of the soil therein, and to make such a rule for the future proportioning of any tax hereafter to be laid on the said baronies as may be agreeable to justice. 18 Aug. Orders A/10. 10. f. 162.

865. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" By his Highness' Ordinance for the further encouragement of Adventurers for lands in Ireland and the soldiers and other planters there, it is ordered that £12,000 *per mensem* be assessed and levied in this nation for one year, commencing 24th June 1656 ; and lest this increase of £2000 may occasion his Highness and Council to apprehend we are in a better condition than indeed we find ourselves to be, and therefore able to endure a diminution of the provision formerly made for the pay of his Highness' forces here, we thought it convenient to represent unto your Lordship the exceeding low ebb the treasury here is in, the hard shifts we have, for a long time, made to subsist, and the extraordinary charge we have been put to in advancing the forces designed for Jamaica, desiring your Lordship's due sense and effectual representation thereof unto his Highness, with your best endeavours (as there may be cause) both for the continuing of that allowance out of England and for the quick and season-

able sending thereof hither." 20 Aug. Letters of Lord Deputy and Council A/30. 28. f. 178.

866. Ordered that such Irish Papists as have returned from beyond the seas without licence be examined as to the cause of their coming back. 20 Aug. Orders A/10. 10. f. 160.

867. "The Council, being informed that at this present there are some creaghts, that have removed out of Ulster into Con-naught, who, according to an ancient but barbarous manner of life, have no fixed place of habitation, but wander up and down with their families and substance, to the contempt of law and evil example of others, have therefore thought fit, and do hereby recommend the consideration thereof unto his Excellency, the Lord Henry Cromwell . . . who is desired to give speedy order to some fit persons for examining what creaghts are in Meath or thereabouts, how long they have continued there, how called, from whence, and by whose invitation or encouragement they came thither, and by what authority they practise that vagrant and savage sort of life so contrary to Christian usage; and, to the end such a lewd custom may be duly discountenanced and punished, [to give order] that the persons of the said wanderers may be secured, their goods and stock seized and carefully inventoried and a duplicate thereof sent unto his Excellency, together with an account of their further proceedings herein, that such order may be made thereupon as shall be conceived meet and agreeable to justice." 21 Aug. *Ib.* f. 161.

868. Ordered that John Cook, John Santhy and William Halsey be joined to the Commission for trying the Qualifications of the natives of Cork. 25 Aug. Commissions etc. A/26. 24. f. 245.

869. Oliver P. Whereas we have daily intelligence that the old malignant party by confederacy with Spain are forming a design to invade this Commonwealth with foreign forces, and at the same time to raise up a rebellion within our own bowels, and that herein they hold correspondence with the Irish as to what concerns that nation, from whom

they receive very great encouragement, amongst some other things which we have judged fit to be done at this time for preventing these designs and preserving the peace of the Commonwealth, we have thought it necessary that some chief persons of the Irish be secured, and to that purpose you (the Lord Deputy and Council) are to give immediate orders for the apprehending and securing in some safe place, as to you shall seem fit, such of the heads of and other considerable persons in Ireland as you shall judge to be dangerous and likely to be made use of in the aforesaid designs, and likewise that you consider how such persons may for the future be disposed of, either by sending them beyond the sea or otherwise, with regard had to any conditions or articles as have formerly been granted to them, whereby Ireland may be secured in some measure from those dangers and attempts, which it is continually subjected to from these men and their correspondencies.¹ 26 Aug. Commissions etc. A/27. 25. f. 64.

870. “Whereas several Declarations have been formerly made and published in pursuance of the Acts, Ordinances, and Instructions of Parliament for and concerning the transplantation of the Irish into the Province of Connaught and County of Clare, wherein several days and times have been prefixed by which they were to remove themselves as also their wives, children, and families into Connaught and Clare as aforesaid, whereunto some have yielded obedience, and many others, in several parts of this nation, do still refuse to conform thereunto, whereby they have incurred the penalty that by the said Acts, Ordinances, Instructions and Declarations is appointed to be executed on them that do offend therein ; and from thence some of them have, out of their desperate and malicious designs, taken occasion to run out again into the bogs, woods and other the fast and desert places of the land to commit murders, rapine and spoil upon the well affected, and to disturb the peaceable minded people inhabiting within the provinces of Leinster, Munster and Ulster, tending very much to the hindrance of the so much desired peace and settlement of the nation, the Council, upon serious consideration had of the premisses, have ordered and they do hereby order, authorise and require the High

¹ See on the subject of this letter, Thurloe, *State Papers*, v, pp. 348-350.

Sheriffs of the several and respective counties within the said three provinces forthwith, by all due ways and means they can, to inform themselves, and to make due inquiry, within their respective bailiwicks, what Popish proprietors of land transplantable do yet remain untransplanted in the several counties within the said three provinces, and what wives, children or next heirs of those that are already transplanted, have not removed themselves as aforesaid, and which of all those persons are by public authority licensed to stay, for what time, and by whom licensed, and to certify the same unto this Board from time to time as there shall be occasion, together with the names, surnames, ages, sexes, colour of hair and other marks of distinction" of the persons aforesaid. 27 Aug. Orders A/10. 10. ff. 170-1.

871. "For the better securing the city and fort of Galway and the parts thereabout, and for prevention of the designs of ill-affected and dangerous persons both at home and abroad, which in these times may be contrived and directed upon places of such importance, it is thought fit and hereby ordered that the Governor of the said city of Galway do forthwith take care and give effectual order for the speedy removing out of the said city and liberties thereof all such Irish Papists and others as he shall justly conceive to be disaffected or dangerous persons, and that no Irish or others as aforesaid be permitted to inhabit or reside therein, unless they be disabled to remove through extreme old age, or sickness or bedrid through other bodily infirmities, in which cases they are to be dispensed with till further order; and the said Governor is hereby further ordered and authorised to cause the weekly markets of the said city of Galway to be, till further order, kept in such convenient place without the city as he shall judge most fit and commodious." 1 Sept. *Ib.* f. 163.

The like orders almost verbatim with a clause including malignants sent at the same time to the governors of Londonderry and Limerick. *Ib.* f. 164.

872. "The Council being informed that the old malignant party, by confederacy with Spain, are forming a design to invade this Commonwealth with foreign forces, and at the same time to

raise a rebellion within our own bowels, and that herein the Irish are corresponded with as to what concerns this nation, from whom it is probable they receive encouragements, for preventing of which attempts and preserving the peace of this Commonwealth, it being thought fit and necessary that some chief persons, of such as are dangerous and likely to be made use of in the aforesaid designs, should be secured, it is ordered that Col. Thomas Cooper,¹ Commander-in-Chief in the Province of Ulster, do, by the best ways and means he can, and by such persons as he can confide in, inform himself concerning such disaffected persons, and he is hereby authorised and required to apprehend and to secure in such place or places as he shall judge fit, the bodies of such considerable persons in Ulster as are heads of septs or otherwise considerable and leading men formerly in arms against the Commonwealth or likely to act and contrive against his Highness and the present Government; and being further informed that there is such a malignant party in the said province, who have got into their possession divers able serviceable horses and fire-arms, which are not held fit, especially in such times as these, to be in their keeping, it is further ordered that the said Col. Cooper do likewise, by the best ways and means he can, inquire into the truth hereof, and having gained knowledge where such serviceable horses and fire-arms are and in the custody of such as have been in arms against the Commonwealth and justly to be suspected as dangerous and disaffected persons, he is, with what speed and privacy he can, to seize upon and secure all such horses and fire-arms and, having appraised the said horses by two honest and indifferent men, he is to commit the said horses to the charge and keeping of such officers of horse within that precinct as he shall think fit, to continue in their custody until further order. . . .” 2 Sept. *Ib.* f. 165.

873. “ Upon serious consideration had of the present state and condition of this nation, and how active the enemies thereof at home and abroad are to disturb the present settlement thereof, for the better preventing of their designs and for the mutual defence and preservation of the peace and welfare thereof, the

¹ Cf. Cooper's letters to Henry Cromwell of 26th and 30th Aug. Thurloe, *State Papers*, v, pp. 347, 366.

Council hold it most fit and necessary that a militia ¹ should be forthwith raised throughout the nation, consisting of the Protestant inhabitants thereof, who have been faithful to the Interest of the Commonwealth of England, and are persons well affected to the present Government, and do hereby desire his Excellency, the Lord Henry Cromwell, Commander-in-Chief of his Highness' forces within this nation, to consider hereof, and to raise and settle a militia of horse and foot in such cities and counties of this nation as may be conceived meet, and to grant commissions authorising thereby such able and faithful persons, as his Lordship shall judge fit for such a trust, to command and order all and every the said forces as well horse as foot in the respective counties, cities, and towns, and to dispose of them into troops and companies for the more regular proceeding therein, for the common defence and security of this nation and as the trained bands thereof." 2 Sept. *Ib.* f. 166.

874. By reason of the malignants raising their heads, it is ordered that Lt.-Col. John Nelson do, by the best and speediest ways and means he can, inform himself what dangerous and malignant persons there are in the County of Kerry; and he is hereby authorised and required to apprehend and to secure the bodies of such Irish or others, as are heads of septs or otherwise considerable and leading men formerly in arms, or likely to act and contrive this design against the peace and welfare of this Commonwealth, and at the same time to disarm such persons. 2 Sept. *Ib.* f. 167.

The like orders of the same date sent to

Col. Thos. Cooper for the Province of Ulster²; Major Thos. Stanley for the counties of Meath and Louth; Lt.-Col. Alex. Brayfield for Westmeath, Longford and King's County; Sir

¹ The creation of a militia was a darling project of Henry Cromwell; but it did not meet with Oliver's approval. "I have often," Thurloe wrote on 20 Oct., "had discourse with his Highness about the militia intended by your Lordship to be settled in Ireland, and communicated to him your large letter upon that subject; which he hath read all over, and is satisfied that it would be very useful to have one settled, but judges it to be a thing of very tender consideration, as to the hands wherein it is to be placed." (Thurloe, *State Papers*, v, p. 504.) Much to Henry's disgust the scheme had to be abandoned, but when fresh rumours arose of royalist intrigues he could not forbear expressing his opinion to his father that it would have been well had the scheme not been slighted by him. *Ib.* vi, p. 143.

² No. 872.

Hardress Waller for the City and County of Dublin and the counties of Wicklow and Kildare ; Capt. Solomon Camby¹ for the town and County of Wexford ; Major Daniel Redman for Kilkenny, Carlow and Queen's County ; Col. Daniel Abbot for Tipperary and Waterford ; Col. Henry Ingoldsby for Limerick and Clare ; Col. Lawrence, Lt.-Col. Finch² and Major Green³ for Cork ; Sir C. Coote for the Province of Connaught. *Ib.* f. 167.

875. Whereas by an Act of Parliament, entitled "An Act for stating and determining the accounts of such officers and soldiers as are or have been employed in the service of the Commonwealth in Ireland," it is enacted and ordained that the accounts of the said officers and soldiers, who have faithfully served the Commonwealth in Ireland for their service there and in England, should have their accounts examined and stated, and Debentures given to them, to the intent just satisfaction may be made for such their services, out of the rebels' lands in Ireland, as by the said Act, dated 25 August 1652, more at large appeareth ; and whereas the Commissioners of Accounts have, pursuant to the said Act, sat a long time for the proceeding in that service, to the great charge of the Commonwealth, and forasmuch as the arrears of the said officers and soldiers (accrued both before and since 5th June 1649) are supposed to be well-nigh stated and determined, the Council have thought fit and do hereby order and declare that three months longer time (viz. till 3rd December next) be allowed for the stating and determining

¹ He supported the Restoration, and being included in the General Pardon of 1661, retained the estate he had acquired near Nenagh in co. Tipperary, still in the possession of his family.

² It is uncertain when Lt.-Col. Simon Finch came to Ireland. In 1646 he was Lt.-Col. of Sir Percy Smith's regiment of foot and appears to have served in Munster under Inchiquin, but after that nobleman's defection from the Parliament he seems to have returned to England. According to Ludlow (*Memoirs*, i, p. 323) he did "very good service at the battle of Worcester" and in 1652 he was sent back to Ireland in command of five companies of foot for the reinforcement of Sir Hardress Waller's regiment. He acquired considerable property in the counties of Tipperary and Limerick and established himself at Kilcoleman, near Nenagh.

³ Major Eliah or Elias Green, reputed to be a staunch republican, received a commission from the Rump in 1659 as major in Col. Sankey's regiment of foot, and in Oct. 1660 he was arrested at Cashel along with Col. Le Hunt and several others by Lt.-Col. Finch, on suspicion of being opposed to the Restoration. But he apparently explained matters satisfactorily, and was allowed to retain the estate he had acquired of Killaghy in co. Tipperary.

of accounts, and that then the power of the said Commission is to cease. 3 Sept. *Ib.* f. 172.

876. T. HERBERT TO THE CLERK OF THE COMMONWEALTH.

"The undernamed persons being elected members to serve in the ensuing Parliament to be held at Westminster, and the writs and indentures sent up to his Highness' Council here, they have ordered me to return them unto you, according to the directions given in the Instrument of Government. I have accordingly delivered them to Major Henry Owen, who is elected one of the Knights of the shire for Westmeath, Longford and King's County in Ireland. These are all that were transmitted to this Board at present."¹ 4 Sept. Letters of Lord Deputy and Council A/30. 28. f. 181. *Enclosed.*

876 (i). The above mentioned list of members.

1. Westmeath, Longford, King's County: Sir Theophilus Jones, Major Henry Owen.

2. Kildare, Wicklow: Sir Hardress Waller, Major Anthony Morgan.

3. Tipperary, Waterford: Sir John Reynolds, Col. Daniel Abbot, Capt. William Halsey.²

4. Cork etc.: Lord Broghill, Col. Jephson,³ Vincent Gookin.

5. Limerick, Clare, Kerry: Sir Hardress Waller, Col. Henry Ingoldsby, Walter Waller.⁴

6. Galway: Sir Charles Coote, Lord President of Connaught and Lt.-Col. Brett.

7. Sligo, Roscommon, Leitrim: Sir Robert King and John Bridges.

¹ The other members were Alderman Tighe and Recorder Bisse (Dublin); Cols. Hewson and Foulke (Meath and Louth); Cols. Sankey and Sadler and Major Redman (Kilkenny, Carlow, Queen's Co.).

² This Capt. Wm. Halsey was, I think, the Wm. Halsey who figures as a Mallow Commissioner, and at the Restoration was appointed Chief Justice of Munster. But whether he was the Capt. Wm. Halsey, who as Mayor of Waterford in 1662 was instrumental in getting up an address on the part of the Corporation, congratulating Ormond on his appointment as Lord Lieutenant, is uncertain.

³ Col. Wm. Jephson served throughout the war partly in Ireland, partly in England. He appears to have followed Inchiquin in his defection from Parliament, and was only saved from losing his arrears of pay by the special intervention of Henry Cromwell. According to Ludlow (*Memoirs*, ii, p. 20; but cf. Firth's note) it was with him that the first definite proposal for making Cromwell King originated. See life in *Dict. Natl. Biog.*

⁴ Sir H. Waller's son.

8. Derry, Donegal, Tyrone : Lt.-Col. Tristram Beresford, Lt.-Col. Newburgh¹ and Ralph King.

9. Down, Antrim, Armagh : Col. Thomas Cooper, Lt.-Col. James Traill and John Davis.²

10. Cavan, Monaghan, Fermanagh : Richard Delaney.

877. Ordered that the Commission to the Commissioners at Mallow be extended till 29th inst. September. 5 Sept. Commissions etc. A/26. 24. f. 247.

878. Ordered that the Commission to the Commissioners at Loughrea be extended till 25th November next. 5 Sept. *Ib.* f. 247.

878*. Ordered that the Commission to the Commissioners at Loughrea be extended till 28th February 1656[-7]. 9 Sept. *Ib.* f. 260.

879. [THE COUNCIL] TO COLONEL COOPER.

Instruct him that priests, who he is assured have repented and been convinced of the error of their ways, are to be dispensed from transportation. 9 Sept. Letters of Lord Deputy and Council A/30. 28. f. 186.

880. Ordered that seven Irish priests in custody at Cork be transported to France. 11 Sept. Orders A/10. 10. f. 177.

881. Upon consideration had of the daily resort of divers Irish and ill-affected persons, who seek all opportunities to effect their

¹ Lt.-Col. Thomas Newburgh of Lifford died at Derry in 1657, and was buried in the Cathedral Church there on 11 Sept.

² John Davis or Davys (son of Ezekiel Davis), alderman of Carrickfergus and one of its representatives in Parliament in 1639, was by trade a provision dealer. On the outbreak of the Rebellion he contracted with Parliament for the supply of the army in Ulster ; but he was at heart a royalist, and early in 1656 he aroused Col. Cooper's suspicions by his purchase of Sir John Clotworthy's castellated house at Carrickfergus. The news that he had been elected (as above stated) greatly annoyed Thurloe (see his letters to H. Cromwell in Thurloe's *State Papers*, v, 398), and in consequence of his representations he was prevented leaving Ireland (*ib.* v, 443). In 1659, however, he was elected mayor of Carrickfergus and early in 1660 he visited Charles II at Breda. In 1661 he was returned one of the knights of the shire for co. Antrim and died in 1667. See Lodge, *Peerage*. Ed. Archdall, ii, p. 50 ; M'Skimmin's *Carrickfergus*, p. 393 ; Hill's *Montgomery MSS.*, p. 329.

malicious and desperate designs, into the Castle of Dublin, under pretence of business with the Commissioners there sitting for setting out lands to the army, it is ordered that the said Commissioners do remove into a house in Dame Street called Crow Nest. 12 Sept. *Ib.* f. 174.

882. Ordered that Mr Timothy Avery deliver muskets and powder to Daniel Hutchinson and Alderman Waterhouse for the trainbands. 17 Sept. *Ib.* f. 178.

883. The Council being informed that some people are preparing to pass from Dublin and elsewhere to some parts of England and Wales, and do carry with them letters of correspondence with the malignant and disaffected party there, which may tend very much to the prejudice of his Highness and of the public peace, it is ordered that search be made for such on all ships. 23 Sept. *Ib.* f. 180.

884. Whereas by an Order of this Board, dated 30th May last, all such Popish priests etc. that were then secured in the several precincts in Ireland were, under safe guard, to be forthwith conveyed from garrison to garrison to Carrickfergus and there delivered to Col. Cooper, and that pursuant thereunto they have arrived there accordingly ; and whereas Col. Cooper hath by his letter, bearing date 6th inst., certified this Board that several of the said priests do say that they are convinced of the error of their ways, and that they will under their hands renounce the Pope's supremacy and frequent Protestant meetings and no other, it is thought fit and ordered that it be referred to Col. Cooper to inform himself touching the said priests and that, in case he shall be satisfied fully that such priests are really convinced of their errors and will sincerely embrace the Protestant religion without fraud and take the oath of abjuration and withal give good Protestant security, he is empowered to dispense with their transportation. 23 Sept. *Ib.* f. 179.

885. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" We have by Major Morgan¹ and at sundry other times presented you with very many and great issues his Highness'

¹ See No. 851.

Treasury here hath been burdened with, especially of late times, and the exceeding great straits we are daily put to for necessary payments, which enforces us to give your Lordship this new trouble, and to assure you that the charge we have been at for fitting and marching the officers and soldiers that are designed for Jamaica, as also what hath been paid for necessary fortifications, surveys, and now for completing to the full number that part of the army which the Lord Henry Cromwell hath drawn into the field, towards the preventing insurrections at home, and for answering any attempts that may be made from abroad, proves so great and extraordinary a charge¹ that we (who before by the ways and means we could use had much ado to subsist) are by these additional issues reduced to that extremity as never was formerly the like; and indeed these payments being of such public concernment and not to be avoided, we are forced to protract the pay of the civil list (many of which are in such a wanting condition that we fear the delay will heighten their affliction). And having given your Lordship the true state of our case, [we] are constrained to be importunate suitors to your Lordship to represent the same unto his Highness and Council, that the supply out of the monthly assessments may be hastened for pay of the army, with regard had to the approaching winter, as also that we may have something added out of that great arrear appears due unto this Treasury, without which or some other equivalent help we shall not any way be able to answer this great charge, which too (as affairs stand) cannot be avoided. We know your Lordship wants not a due sense hereof and humbly pray the utmost of your favourable assistance towards our supply and the preservation of this poor nation, which as yet hath little trade and is in so unsettled a posture that no considerable revenue arises (some little from the assessments excepted and that attended with some difficulties in the collecting).” 24 Sept. Letters of Lord Deputy and Council A/30. 28. ff. 190-1.

886. SAME TO THE LORD HENRY CROMWELL.²

“By letters lately received from Colonel Cooper³ we under-

¹ Cf. H. Cromwell to Thurloe, 16 and 29 Sept. Thurloe's *State Papers*, v, pp. 422-423, 452-453.

² At this time on a tour of inspection.

³ Cf. Thurloe, *State Papers*, v, p. 474.

stand that Colonel Moore's regiment was shipped without the least discontent, and (for that the wind hath since been favourable) have good hopes that they are by this as far as Cork haven or Kinsale, where it seems the ships have agreed to rendezvous. . . ." 7 Oct. *Ib.* f. 193.

887. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

"Major John Desbrow hath, by petition ¹ to his Highness the Lord Protector, set forth that immediately after the late Lord Deputy Ireton had forced his entrance into the Province of Connaught, the said Major was by Providence cast into an old castle called the Basleenesloe [Ballinasloe] in that province, the former proprietor whereof was a person exempted for life and estate, the same being then newly taken from the enemy and almost ever since kept by the petitioner, and many parties of the enemy having been taken and cut off, which place, with between three and four quarters of land, being granted to the petitioner by lease from the Commonwealth for the space of four years, he had in that time made many improvements thereon, to £400 value, and further intendeth if possible (as in the petition is alleged) to make the same an English plantation, by encouraging the setting up of clothing, which will be of much advantage to that nation. In respect whereof he humbly prays that he may have the premisses at the Commonwealth's rates for part of his arrears, or a lease thereof for 41 years, or else satisfaction for all just improvements made thereon. All which his Highness and the Council having taken into consideration they have thought fit to refer it to your Lordships, to consider the matter mentioned in the said petition as aforesaid, and if you shall find it may be without prejudice to the public service, then your Lordships are authorised and desired to make a lease of the said castle and lands to the petitioner and his assigns for the term of 21 years, under such a reasonable rent to the State as you shall think fit, or otherwise

¹ See petition in *Cal. State Papers, Irel.*, 1647-1660, p. 612. This Major John Desbrow was presumably the son of Major-General Desbrow by his first wife, Jane Cromwell, Oliver's sister. He came to Ireland probably with Cromwell in 1649, was given a commission as major in Col. Daniel Abbot's regiment of dragoons by the Rump in 1659; but was arrested at a conventicle near Dublin on Sunday, 9 Nov. 1662, and committed to the Castle on a charge of being concerned in a plot to upset Government.

to consider of his said improvements and to make allowance to him for his disbursements therein." 14 Oct. Letters of Lord Protector and Council A/28. 26. f. 95.

888. W. JESSOP (CLERK OF THE COUNCIL) TO THE LORD DEPUTY AND COUNCIL.

"On reading a report from the Committee of the Council to whom the petition of Anne Countess of Clanricarde¹ is referred, and of an Order made in the case by his Highness' Council in Ireland, dated 18th August 1656, [it is] ordered by his Highness the Lord Protector and Council that the said Order be concurred with, and that, according to the purport and tenor thereof, the Commissioners sitting at Loughrea in Ireland do reserve 4000 acres of good and profitable land out of such part of the estate lately belonging to the Earl of Clanricarde as they shall conceive fit, with some convenient house and other accommodations thereupon, and that they do not dispose of the same unto any until further order and special directions be given therein from his Highness' said Council in Ireland." 16 Oct. *Ib.* f. 103.

889. Ordered that October 23rd be observed as a day of commemoration of the deliverance of Ireland and the English Interest from the Irish rebels. 17 Oct. Orders A/10. 10. f. 193.

890. Order for securing the letters and other papers of Sir Maurice Eustace² at his rooms in Dame Street. 20 Oct. *Ib.* f. 198.

¹ See other documents relating to the Countess of Clanricarde's case in *Cal. State Papers, Irel.*, 1647-1660, pp. 654-655 and *Ib.* 1660-1662, pp. 360-362.

² Sir Maurice Eustace, the son of Wm. Fitz-John Eustace of Castlemartin, co. Kildare (d. 1635), was born in 1614. In 1630 he was appointed Serjeant-at-Law on the recommendation of Chancellor Loftus. He sat in Parliament in 1634 as M.P. for the borough of Athy, and having been knighted, was returned M.P. for the county of Kildare to Parliament in 1639. He was chosen Speaker of the House of Commons on 16 March and as compensation for the loss he thereby incurred in his practice he was awarded a grant of £1000, afterwards changed into one for lands. He maintained a perfectly loyal attitude throughout the Rebellion, and in 1647 the English House of Commons passed him a vote of thanks, "for his singular affection to the English nation, his public services, and his earnest advancement of the Protestant religion." His sympathies were, however, on the royalist side, and at the Restoration he was appointed

891. "The Council being informed that the public hath suffered a very great and manifest inconvenience and prejudice by permitting divers Irish to possess considerable quantities of forfeited lands in Connaught and Clare *de bene esse*, who indeed have no legal right thereunto by any of the Qualifications expressed in the Act for settling of Ireland, contrary to the express letter and intent thereof, and to the detriment of others who have just right to their respective proportions, as appears by the Decrees of the late Court of Claims at Athlone, and are yet unsatisfied through want of forfeited lands to be assigned them, [it is] ordered that this grievance be considered of and duly examined. . . ." 20 Oct. *Ib.* f. 204.

892. Ordered that Wednesday, 5th November next, be appointed to be duly observed and kept by the respective congregations in Dublin and all other parishes and congregations throughout the nation as a day of thanksgiving¹ for the mercy expressed in the narrative of the late successes of the fleet of this Commonwealth upon the Spanish coasts against the Spanish plate fleet, and in commemoration of that signal deliverance upon that day from the Powder Treason. 21 Oct. *Ib.* f. 198.

893. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

"Edward Plunkett, one of the younger sons of Luke Earl of Fingal in Ireland, having by petition to his Highness set forth that there being a small estate in lands called Drombarrow and Callaghton² in the county of Meath, of about the yearly value of £100, settled on him by his said father in his lifetime, he was, shortly after his father's death, which he allegeth to be in the year 1635,³ the petitioner being then in his minority, sent by his friends to travel in foreign parts for his education, where he continued about nine or ten years, and in his return towards

Lord Chancellor, and as the salary allowed him was not sufficient to support the dignity of that place, he was granted an annuity of £1500 out of the customs of Dublin and Drogheda. He married Anne, daughter of Sir Robt. Colville, and died in 1665.

¹ The loss of the *Two Brothers* with Lt.-Col. Brumston and 200 soldiers on their way to Jamaica near Kinsale turned this day of rejoicing into one of sorrow and humiliation.

² Near Kells.

³ Lodge (*Peerage*, vi, p. 183) says 1637, and there can be no doubt that he is correct.

England was taken by the Turks and carried to Sallee, where he remained in captivity five years, and about January last arrived in England, having not been in Ireland since his travels and captivity, and therefore expresses his hopes that his estate so settled on him shall not be adjudged liable to forfeiture or sale. His Highness and Council on consideration thereof have thought fit to refer it to your Lordships to examine the petitioner's title to the said estate, and, if you shall find the same to be as is before set forth, then you are desired and hereby authorised to cause possession thereof to be forthwith delivered him." 21 Oct. Letters of Lord Protector and Council A/28. 26. f. 112.

894. Whereas several Irish and others formerly engaged in the late horrid Rebellion, and since reputed dangerous persons and ill-affected to the peace and welfare of the Commonwealth, are lately committed to prison in Athlone, Galway and Limerick until further consideration and course be taken concerning them, it is ordered that it be referred to Sir C. Coote and Col. Ingoldsby, Governor of Limerick to inform themselves concerning such prisoners, and to issue their orders to the Receivers of the Public Revenue in the precincts of Limerick, Galway and Athlone for paying unto the respective prisoners such weekly allowance as they shall direct viz. to each prisoner being of the quality of a baron or upwards not exceeding the weekly sum of 15 shillings ; to such as are colonels and other field officers not exceeding the weekly sum of 10 shillings ; and to those of inferior rank not exceeding the sum of 7 shillings per week till further order. 27 Oct. Orders A/10. 10. f. 209.

895. Ordered on the petition of the inhabitants of Limerick that heads for a new charter to be granted the town be prepared by the Attorney-General Basill with all convenient speed. 3 Nov. References of Petitions A/11. 11. f. 200.

896. Ordered that Robert Mason, one of the clerks attending the Commissioners at Loughrea, who contrary to the trust reposed in him had received divers sums of money from sundry transplanted Irish, be discharged his post. Mason confessed to receiving £60 for expediting their claims. 7 Nov. Orders A/10. 10. f. 214.

897. Whereas by letters from the Commissioners sitting at Loughrea, and otherwise, the Council have received frequent advertisements that the forfeited lands in Connaught and Clare now remaining and undisposed of will come far short to satisfy the Decrees of the late Court at Athlone, and that several claimants, comprehended within the first qualification of the Act of Settlement, have, nevertheless proportions of forfeited lands granted them by the said Commissioners for their livelihood, it is referred to Sir C. Coote, Mr Justice Cook and John Santhy to consider what they hold advisable to be done, by way of expedient or otherwise, how the Decrees that are yet unsatisfied may receive satisfaction. 11 Nov. *Ib.* f. 215.

898. T. HERBERT TO COLONEL LAWRENCE.

"It is the desire of the Council that you would speedily take a view of the ship called the *Plain Dealing*, which belongs to some Irish inhabitants of Kinsale and now rides at anchor there; and, if you find her for strength and other accommodations fitter to receive the soldiers and the rest aboard of Colonel Moore's regiment now quartering in the Great Island and thereabouts, and to undertake so long and winterly a voyage than the other ship, wherein they were formerly shipped, you are to notify what you hold advisable therein,¹ and in the meantime (by embargo or otherwise) to take care that the said ship take in no other freight nor set sail from thence without leave first obtained from this Board. There was £300 lately ordered for supplying the officers and soldiers aforementioned with a month's pay, which you were desired to take care of. I hope it is come to your hands ere this. Mr Crofts promised his special care in it.

P.S.—Some of the owners of the ship are now here and (as is informed) willing that she should go to Jamaica upon good terms. . . ." 11 Nov. Letters of Lord Deputy and Council A/30. 28. f. 201.

899. A list of such as are appointed to serve as sheriffs for the ensuing year. Dublin and Wicklow, Dan. Hutchinson; Wexford, Thos. Dancer²; Kildare and Carlow, John Hewit-

¹ Cf. H. Cromwell to Thurloe, 7 and 12 Nov. Thurloe's *State Papers*, v, pp. 570, 586.

² Thomas Dancer, of Putney, co. Surrey, was appointed a Commissioner for stating the accounts of the army in Ireland (25 Aug. 1652). As an Ad-

son¹; Kilkenny, Oliver Wheeler²; King's and Queen's Counties, Henry Lestrangle³; Meath, Arthur Purefoy⁴; Westmeath and Longford, Rd. Edmonds; Louth, Jas. Smallwood; Tipperary and Waterford, Hen. Alland; Limerick and Clare, Wm. King⁵; Cork, Peter Courthop⁶; Kerry, Arthur Denny⁷; Cavan and Monaghan, Robt. Sanderson⁸; Fermanagh, Nic. Willoughby⁹; Donegal, Geo. Carey¹⁰; Tyrone and Armagh, Sir Geo. Ache-

venturer himself, he obtained lands in co. Tipperary. He settled down at Waterford and was mayor of the city in 1660. He was included in the General Pardon at the Restoration, and created a baronet in recognition of his services, "especially of his bravery at Waterford," and was returned M.P. for New Ross in 1661. He married Sarah, daughter of Sir Adam Loftus, by whom he had two sons, Sir Thomas and Sir Loftus.

¹ John Hewetson, or Huetson, was the son of Christopher Huetson, Vicar of Swords and Chaplain to Loftus, Archbishop of Dublin at the close of Elizabeth's reign. John died in 1658. His original will is in the Public Record Office, Dublin.

² Captain Oliver Wheeler was the son of Jonas Wheeler, Bishop of Ossory, who died in 1640, and Dorcas, daughter of Sir Philip Perceval. He obtained satisfaction for his arrears in Queen's County, supported the Restoration, and represented the borough of St Canice in Parliament in 1661.

³ Captain Henry Lestrangle of Moystown, King's County, served during the war and obtained lands as a soldier and Connaught purchaser in cos. Galway and Kilkenny. The founder of the Lestrangle family in Ireland was Sir Thomas, Constable of Athlone, in Mary's reign. Henry died shortly after the Restoration, and was succeeded by his son Thomas.

⁴ Captain Arthur Purefoy, apparently of a Warwickshire family, came to Ireland in 1646, and having served during the war as captain of a troop of horse in Col. Chidley Coote's regiment, he received satisfaction for his arrears in co. Tipperary. In 1661 he represented the borough of Kells in Parliament.

⁵ Major, afterwards Sir William King, described as of Kilpecan, afterwards married Barbara, widow of Sir John Brown of Hospital, co. Limerick, and represented that county in Parliament in 1661. At the Restoration Settlement he claimed lands in cos. Limerick, Clare, Kerry, Westmeath and King's County as a soldier, Adventurer and Connaught purchaser.

⁶ Peter, afterwards Sir Peter Courthop or Courthorpe of Courtstown, married Elizabeth Gifford in 1662, and had by her a son, Col. John, who was killed at the siege of Namur, and a daughter, Alice, who married Alan Brodrick, first Viscount Middleton. Peter was a Coote-Broghill man and represented Cork city in Parliament in 1661. The stigma of being one of "the wicked guard of halberdiers" attached to him, but being for his services knighted he was elected Mayor of Cork in 1665.

⁷ Sir Arthur Denny, of an Elizabethan planter family, was the eldest son of Sir Edward Denny. He married Ellen, daughter of David Barry, Earl of Barrymore, represented Tralee in Parliament in 1661, and died in March 1672.

⁸ Lt.-Col. Robert Sanderson or Saunderson of Castle-Saunderson, Belturbet, co. Cavan, was the son of Capt. Saunderson, an Ulster planter, who received 1500 acres in the Precinct of Mountjoy, co. Tyrone. He served during the war, was besieged in Roscommon in 1646, and obtained in satisfaction of his arrears 10,214 acres in co. Cavan and 900 acres in co. Monaghan.

⁹ Nicholas Willoughby, described as of Frain, co. Meath, acquired a lease of certain lands in co. Fermanagh for 1000 years from Edward Hatton, Archdeacon of Ardagh, in 1621. Hatton was an Ulster undertaker, deriving his lands from Robert Boges.

¹⁰ George Cary of Redcastle, near Moville, co. Donegal, descended from the Carys of Clovelly, Devon, was the son of George Cary, and Jane, daughter of

son¹; Antrim, Roger Lyndon²; Down, Roger West³; Roscommon and Leitrim, Jas. King; Sligo, Robt. Morgan⁴; Mayo and Galway, Robt. Ormsby. 12 Nov. Commissions etc. A/26. 24. f. 255.

900. "The Council having considered of proposals presented unto this Board by the Commissioners of Accounts, certifying that, by an Order of his Highness and Council, dated 3rd July last, they are required to issue Debentures for the English arrears of several persons for such sums as are inserted into lists transmitted unto them, upon perusal whereof they find sundry persons returned which, by the Rule of the Act of Parliament for satisfying the accounts of the Army, were not qualified to have their English Debentures exchanged by the said Commissioners, albeit they had received Debentures before the date of the said Act, they being thereby only required to exchange Debentures of such officers and soldiers as have served the State in this nation, and are desirous that their English and Irish arrears may be together satisfied.

"1. Concerning such as served under command of his Highness in Ireland since his arrival here . . . the Council think fit to approve thereof and the said Commissioners do proceed to issue Debentures accordingly.

"2. Concerning such as never served in Ireland as soldiers or in any civil employment, the Council do not conceive such within the intent or scope of the Order above mentioned. . . .

Tristram Beresford, His father died in 1640, having represented Londonderry in Parliament in 1613 and 1634.

¹ Sir George Acheson of Markethill and Cloncarney, co. Armagh, son of Sir Patrick and ancestor of Archibald, Viscount Gosford, married (1) Nichola, daughter of Sir Robert Hannay at Derry on 23 Jan. 1655, and (2) Margaret, daughter of Sir William Caulfeild. He died in 1685.

² Captain Roger Lyndon of Carrickfergus was in command of the castle there when the Rebellion broke out. He served during the war, and having done his best to promote the Restoration, was appointed customer of the port of Carrickfergus.

³ Roger West of Ballydugan, co. Down, was the son of Richard West, who came to Ireland towards the end of Elizabeth's reign, and, having acquired property in Lecale, died in 1640. Roger's sister married John Hamilton (nephew of Lord Clanboy) of Ballygrott, co. Down.

⁴ Robert Morgan of Cottelstown, co. Sligo, a soldier of fortune, related (probably as nephew) to Sir William Morgan of Pencoyd, Glamorganshire, came to Ireland in 1647, in which year he received a commission as captain of a troop in Col. Hill's regiment of foot, rendered vacant by the death of Henry, Lord Blayney of Castle Blayney, co. Monaghan. He supported the Restoration, was included in the General Pardon, and was returned M.P. for co. Sligo in 1661.

“ 3. Concerning such as have been employed in Ireland in civil employment only, the Council give a like answer.

“ 4. Concerning such as have served in Ireland as Muster-Masters and Commissaries of Stores since his Highness came over, and within the establishment of the army, but have no Debentures or arrears due unto them for Irish service, if it appear to the said Commissioners that such were comprehended in the military establishment and allowed of by the Parliament of England, and that they have English arrears due unto them for that service, the Council conceive such within the Rule and not otherwise.

“ 5. Concerning such as served as soldiers in Ireland before but not since 5th June 1649 such have right to arrears for Irish service, but are not conceived within the Rule as to English arrears or within the intent of the above said Order.

“ 6. Concerning those that served till after 5th June 1649, but not since his Highness came over into Ireland, which was in August 1649 such are within the Rule, and are to be proceeded with by having Debentures accordingly.

“ 7. Concerning such as served under his Highness since he came into Ireland, but were formerly under the command of the Lord Inchiquin during his defection, the said Commissioners of Accounts are to consider of His Highness' Ordinance for indemnity to the Protestants in Munster and to proceed according to the Rule prescribed therein ; and where any such person that shall be found to be comprehended within the said Ordinance hath Debentures stated for arrears due since June 1649 such are to have their English arrears therewith satisfied as others of the army.

“ 8. Concerning such other of the Munster officers, who were likewise under the said defection and served not since, the Council do not conceive such within the Rule as, having revolted with the said Inchiquin, have not since manifested their continued good affection to the Commonwealth.

“ Lastly, the said Commissioners are more particularly to instance the different rates specified in the said Ordinance etc. and, as they see cause, to offer unto the Board what they conceive necessary in any of the foregoing answers.” 18 Nov. Orders A/10. 10. ff. 221-3.

901. INSTRUCTIONS FOR PROVOST-MARSHALS IN THE SEVERAL PRECINCTS.

1. To raise 60 able foot and 20 mounted.
- 2, 3, 4. *Vacant.*
5. To take special care to employ them in suppressing Tories, wood-kerne, and those who go about to rob.
6. To have special care that they be active in the prosecution of this service.
7. To be quartered, when in towns and villages, in inns and alehouses and to pay for their quarters punctually.
8. To apprehend all Tories, wood-kerne, and offenders, and to bring them before the Justices of the Peace, and to keep them secure in gaol till they can be tried.
9. Also to see that all suspicious persons, or those who harbour rebels and Tories are brought before the Justices of the Peace and proceeded against according to law.
10. Regarding assistance.
11. And in case that by the former rules you cannot apprehend or bring in such Tories and offenders as aforesaid, you are hereby empowered to quarter with such under your command upon the parents or kindred of such Tories, where you may continue until they shall bring to you or some under your command such Tories and offenders.
12. To take away all arms and ammunition you shall find in the possession of any Irish Papist not licensed by his Excellency.
13. To make strict search for any priest, friar, Jesuit or person in Popish orders, and to carry them before the Justices of the Peace to be proceeded against according to law.
15. Whensoever it shall appear that any Tories or other malefactors as aforesaid shall be apprehended and proceeded against by you or any party you command, for so many of them as shall be convicted or suppressed as aforesaid you shall receive 40s. for every such person over and above the respective allowances, for the encouragement of the party that does that service.
16. You are hereby empowered to treat with any Tory or Tories who shall undertake to do service on the rest of the Tories, for the bringing of them to condign punishment, provided such person or persons so treated withal be not guilty of murder,

and you shall give assurance to any such person or persons for the pardon of his life and reward proportionable to the service he or they shall perform.

17. To render an account to his Excellency once in six weeks.
19 Nov. Commissions etc. A/26. 24. ff. 256-8.

902. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

“ The Council considering how acceptable any proposals of public concernment to Ireland would be to your Lordship and those honourable persons that serve in Parliament for this nation, and having had the opportunity of receiving something of that nature from the judges and other persons of quality and interest here, we could do no less upon consideration thereof than transmit the same to your Lordship, for this intent only that, by your Lordship’s imparting thereof, the same may be considered of with any of them or others, and either improved or laid aside as shall be thought fit. And amongst what is herein mentioned, we cannot but especially recommend to your Lordship and their care those particulars that more nearly concern the advancement of the Gospel and the indemnifying of persons that have acted or shall act by authority or for the service of the Commonwealth, that since both nations are by the good providence of God involved in one common cause and united into one body, so they may not be separated in provisions having a tendency thereunto, nor to any other such good and wholesome laws as are of equal necessity and concernment for the good of both, and remain your Lordship’s humble servants.” 19 Nov. Letters of Lord Deputy and Council A/30. 28. f. 204.

903. T. HERBERT TO COLONEL INGOLDSBY.

“ The Council being credibly informed that there are at present in the city of Limerick divers persons commonly called Quakers, who have repaired thither out of England and other places, making it their practice to wander up and down seducing divers honest people, neglecting and impoverishing their families, troubling the public peace of this nation, disturbing the congregations of sober Christians in the worship of God, and with railing accusations aspersing and discouraging divers of the godly ministers of the Gospel in their faithful labours, and there-

by bringing into contempt the ordinances of God and encouraging evil-minded persons to looseness and profaneness ; out of a due sense whereof, their Lordships have commanded me to signify unto you their dislike of such pernicious practices and that they do (from good grounds) apprehend that the persons committing such misdemeanours do (under colour of such their wild carriage and proceedings) advance some designs, which may be of dangerous consequence to the public good and safety, if not seasonably looked into and prevented, and do therefore desire you to inquire into the truth thereof and to take speedy and effectual course that such persons, as are come thither upon that account, be excluded the garrison and not permitted to return or reside there ; and if any of the inhabitants profess themselves such, and shall at any time disturb the congregations when assembled for the service and worship of God, or otherwise break the public peace, you are to secure such persons, and take care that they be proceeded with according to due course of law in such cases provided, having due regard to preserve (by all good ways and means) the good government of that place and timely to discountenance and suppress all disorders." 25 Nov. *Ib.* f. 212.

904. Ordered that the Lord Henry Cromwell be desired to put in execution a former Order for the removal of the Irish out of the County of Wicklow. 25 Nov. Orders A/10. 10. f. 225.

905. " An Abstract of all the monies received and paid for the public service in Ireland, viz. as well of what was received from the Treasurers-at-War in England, as what hath grown due in this kingdom of Ireland by way of assessments, sequestrations, sequestered rents, tithes, customs and excise and casualties of all sorts, extracted from the accounts of the Treasurers-at-War, Treasurers of the Precincts, Receivers-General, Receivers of Rents, Collectors of Customs and Excise, and all other persons accountable for public monies, beginning from 6 July 1649, being the time when Oliver Cromwell landed in Ireland¹ to the of November 1656, being seven years and some months, viz.

¹ Cromwell actually landed on 15 August.

Transmitted from England :—

Received by Sir John Wolleston Kt.

Treasurer-at-War £ 483,531 2 7

Received by Wm. Leman, John

Blackwell and Richard Dean,
Treasurers-at-War 1,008,049 15 4

Received by James Standish and

other Treasurers upon the Army's
advance for Ireland and for the
forces sent from Ireland into
Scotland 75,267 15 5

Total of money transmitted from

England 1,566,848 13 4

Received out of Ireland :—

Received for the Assessments of

Ireland 1,309,695 14 11½

Received for rents of forfeited and

sequestered lands, houses, and
fishings 161,598 8 7¾

Received for rents of impropriate

and sequestered tithes in
Ireland 135,524 3 2½

Received for Customs and Excise .

252,474 18 10¾

Received for preys taken, for pro-

visions sold and for other casual
Revenue 83,254 18 0

Total of money received out of

Ireland 1,942,548 3 8

Total of money received out of

England and Ireland 3,509,396 17 0

Payments for the same period

To the several regiments of foot

viz. :—

Paid to Oliver Cromwell's, after

Henry Cromwell's regiment of
foot 80,616 14 9

	£	s.	d.
Paid to Henry Ireton's after Charles Fleetwood's regiment of foot	64,823	15	3
Paid to Sir Hardress Waller's regiment of foot	61,777	19	8
Paid to Sir Charles Coote's regi- ment of foot	61,949	12	5
Paid to Col. John Hewson's regi- ment	67,215	10	7
Paid to Col. Peter Stubber's regi- ment	60,284	8	11
Paid to Col. Venable's after Col. Cooper's regiment	82,030	15	10
Paid to Col. Phaire's regiment . .	82,514	2	10
Paid to Col. Daniel Axtell's regi- ment	51,712	17	6
Paid to Col. Ewer's, after Col. Rd. Lawrence's regiment	81,041	8	4
Paid to Col. Arthur Culme's after Col. Sadler's regiment	82,143	9	4
Paid to Col. John Clarke's regi- ment	45,268	11	3
Paid to Col. John Foulke's regi- ment	42,347	5	9
Paid to Col. John Cote's regi- ment	19,241	4	3
Paid to Col. Solomon Richard's regiment	31,100	17	7
Paid to Col. Tuttle's after Col. Rd. Lehunt's regiment	34,080	13	6
Paid to Col. Robt. Sanders' regi- ment	22,112	0	7
Paid to Col. James Casteel's, after Col. Slade's and Col. Wm. Lee's regiment	25,612	7	4
Paid to Col. Hercules Hunck's regiment	23,278	1	6
Paid to Col. Wm. Reeves' regi- ment	20,970	1	7

	£	s.	d.
Paid to Col. Lydcott's after Col. Wm. Russell's regiment	13,961	14	1
Paid to Col. Ralph Fenwick's after Col. Robt. Barrow's regi- ment	29,408	19	7
Paid to Col. Thomas Coot's regi- ment	28,638	1	0
Paid to Col. Henry Ingoldsbye's regiment	11,293	16	8
Paid to Col. John Moore's after Col. John Blagrove's regiment	7,173	14	8
Paid to Col. Will. Moore's regiment that was sent to Jamaica	10,267	17	4
Paid to Sir John Gefford's after Col. George Monke's regiment	7,983	7	0
Paid to the non-regimented com- panies	93,459	10	11
Total of the payments made to the regiments of foot	1,243,309	0	0

To the several regiments of horse
viz. :—

Paid to Oliver Cromwell's regi- ment of horse.	94,185	7	8
Paid to Henry Ireton's after C. Fleetwood's regiment	86,297	6	1
Paid to Lieut.-Gen. Ludlow's regiment	63,221	11	2
Paid to Sir John Reynold's regi- ment	79,306	3	5
Paid to Col. Henry Cromwell's regiment	90,760	5	7
Paid to Sir Ch. Coote's regiment	72,973	17	2
Paid to Col. Hierome Sankey's regiment	96,657	13	10
Paid to Col. Henry Pretty's regi- ment	77,608	6	6
Paid to Col. Richard Coote's regiment	31,573	8	0

	£	s.	d.
Paid to Col. Chidley Coote's regiment	25,173	4	10
Paid to Roger Lord Broghill's regiment	48,795	2	3
Paid to Sir Theophilus Jones' regiment	47,844	2	4
Paid to Lt.-Gen. Michael Jones' regiment	2,511	1	0
Paid to Col. Dan. Abbott's regiment of dragoons	66,498	16	11
Paid to Col. H. Ingoldsby's ditto	49,253	2	11
Paid to the non-regimental troops of horse and dragoons	113,629	1	5
Paid to the General Officers of the Army	87,077	9	5½
Paid to the commanded parties of horse, foot and dragoons	62,304	16	1
Paid to recruits enlisted for the service of the Army	9,364	18	8
Paid to officers, artificers and soldiers belonging to the train of artillery and incident charges thereof	41,023	0	11
Paid to the disbanded soldiers of the Army upon their several disbandings for their subsistence till lands were set out for their arrears	59,489	16	6
Total of the payments of the horse	1,305,548	12	8

Incident charges of the Army :—

Paid for provisions for the Army	135,659	5	4
Paid for oats, hay, grass and straw for the summer and winter quarters for the horse and dragoons	60,806	11	9¾
Paid for fire and candles for the Guards	3,994	3	7½
Paid for clothes for the Army	65,898	1	0

	£	s.	d.
Paid for hire of shipping for importing soldiers and recruits into Ireland, and transporting soldiers from Ireland into England and Scotland and bringing over clothes, provisions, arms and ammunition . . .	42,509	17	9
Paid for incident charges of the stores of provisions and arms and ammunition, and for fixing of arms and making several instruments of war. . . .	19,880	10	5½
Paid for incident charges of the hospitals	29,919	2	11
Paid for public buildings and fortifications, repairs of garrisons and demolishing of castles etc.	68,522	13	10½
Paid for surveying of the forfeited lands in Ireland	16,881	17	3
Total of the incident charges of the Army	444,071	14	0

For other incident charges, viz. :—

Paid for salaries to the Commissioners of the Commonwealth, Lord Deputies and Council, Judges, Commissioners-General, Commissioners of the Revenue, Commissioners of Accounts, Treasurers, Collectors and Receivers of the Revenue and their officers, and to all other civil officers and ministers .	248,431	5	11½
Paid for intelligence, gratuities for special service and other casual contingencies relating to the civil officers and public affairs of the kingdom . . .	71,412	8	4½

	£	s.	d.
Allowed by way of abatement upon rents, tithes and assessments occasioned by the wasteness of the country, by reason of war, plague and poverty of the inhabitants, and for relief of such Irish proprietors whose estates were sequestered	32,472	10	2
Paid to the Irish Army that submitted on Articles and were afterwards shipped for Spain .	6,714	9	8½
Paid for killing of wolves . . .	3,847	5	0
Paid for taking and apprehending Popish priests etc.	756	3	3
Paid for apprehending notorious rebels and Tories	2,149	12	4
Paid to Pensioners	25,974	0	10¾
Paid to several persons upon account, the uses being not expressed in the warrants, and for which those who have not already accounted are yet to render an account	56,764	8	8
Paid for relief of prisoners taken in time of the war	788	17	9
Paid to Ministers and Planters who came to inhabit in this kingdom, for their support and relief	17,524	7	9
Paid and allowed on the several Collectors' and Receivers' accounts for insolvencies in contribution, rents and tithes in time of the war which could not be received, the country being wasted and impoverished .	26,405	5	2½
Total of these incident charges etc..	493,240	15	0½
Total of the aforesaid payments .	3,485,170	1	9

	£	s.	d.
So there remains due to balance the account	24,226	15	3
Of which sum there hath been since paid into the Treasury by several Collectors and Receivers of the Revenue	21,030	13	9
The remainder, still in arrear is	3,196	1	6

The foregoing account was extracted from one hundred and twenty-four accounts now remaining of record in the Auditor-General's office in Ireland."¹ Nov. MSS. Trinity College, Dublin. F. 4. 5. No. 7.

906. THE COUNCIL TO THE PROTECTOR CROMWELL.

"The state and condition of your forces here calls upon us to lay before your Highness that, upon the establishment in 1655 there was an arrear of three months resting to the army, since which time the pressing necessities of your public affairs, as surveys, fortifications, the settling the Irish in Connaught upon two very considerable commissions, together with the charge of the regiment for the West India service, with many other particulars hath lain so heavy upon us that your forces are now six months in arrears, the consideration of which, though we question not your Highness' equal care and justice as to your affairs here, yet we think it our duty to present it to your view and humbly to beg something by way of supply (besides the monthly provision, notwithstanding which we have contracted this arrear) to help under these present straits. . . ."² 3 Dec. Letters of Lord Deputy and Council A/30. 28. f. 213.

¹ The original statement of accounts (consisting of a headed roll of 54 membranes) from which the above Abstract was perhaps compiled, is preserved in the Museum of the Public Record Office, Fetter Lane. Attention was called to it by Prof. Firth in *The English Historical Review*, vol. xiv, pp. 105-109. As he there points out, the inquiry was made by virtue of a Commission of the Lord Protector, dated 23 Oct. 1656, addressed to H. Cromwell, Wm. Steele, Rd. Pepys, Miles Corbett, Robt. Goodwin, M. Thomlinson. Wm. Bury. Sir G. Lowther, Sir J. Temple, Sir R. Meredith, Sir C. Coote, Sir H. Waller. Sir R. King, Wm. Basill, A. Hill, John Bridges, R. Southwell, R. Gorges and Ed. Roberts. By whom the Abstract was made, I cannot say. It is written on a double sheet of foolscap in an extremely neat 17th-cent. hand, so that it looks almost as if printed; and is endorsed: "To the Library of Trinity College, Dublin, from William Tho'. Barlow, 13 Grenville St. 14 May, 1851."

² See Abstract of Revenue for the year 1656 in Thurloe, *State Papers*, v, p. 731: Total from all sources, £78,333. 18. 0½.

907. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

“ His Highness and the Council have considered your letter of 5th September last concerning Mr Methuselah Turner and the rest of the Committee for clearing of Claims in Ireland, and of the survey which came enclosed therein, whereby is expressed the value of 3000 acres, Irish measure, in the County of Limerick, according to the rate in the year 1640, which have been surveyed by your Lordships' directions, in order to their satisfaction, as also of what you have hinted concerning the yearly rent to be reserved thereon to the State, and upon the whole matter his Highness and Council do think fit that the said whole 3000 acres be set out to the said Mr Turner and the rest, that possession be delivered them or their assigns of the whole, that the rent reserved be four pence per acre, and that a grant of the premisses be passed for the term of 99 years according to the purport of the former letter on their behalf.” 4 Dec. Letters of Lord Protector and Council A/28. 26. f. III.

908. THE COUNCIL TO [COL. LAWRENCE AND OTHERS].

“ By former letters to some of you we desired that a speedy and exact view might be taken of the ship called the *Plain Dealing* and now riding in the anchor at Kinsale, to which we have received some account, both in relation to her burthen, strength and fitness for that voyage. We have reason to endeavour the discovery of what (by the will of God) the public suffered through the late wreck and constrained return of the other crazy vessel, Colonel Moore's men were shipped in, called the *Two Sisters*. . . .” 9 Dec. Letters of Lord Deputy and Council A/30. 28. f. 214.

909. SAME TO THE LORD DEPUTY FLEETWOOD.

“ Having formerly acquainted his Highness and Council of the necessity, that there be some power given here to let the lands and houses belonging to his Highness and the Commonwealth, and that the power already given us to make leases, reserving the rent or value they were let, or worth to be let for in the year 1640, is so high a rate as none yet ever came to take any lease on these terms. We were forced the last year to make leases from May 1656 until May 1657, which manner of letting lands

is attended with so many mischiefs and inconveniences, that we hold it our duty again to mind your Excellency thereof, and to assure you that, if some fitting remedy be not in time provided, the public must and will suffer very much thereby ; for that not only the houses in cities and great towns will become ruinous and uninhabitable, but the cities and towns will be made desolate, especially at Waterford, Galway, Limerick and Cork, where every year (as we are informed) many houses do fall down and by poor indigent people are secretly pulled down and destroyed. Such also as take lands in the country are for the most part either Irish or such as let them to Irish, and they plough meadows and drive the land out of heart ; but none do endeavour to plant or to make the land fit for any plantation. And it grows now a common practice that men, pretending title to the land, do endeavour to bring actions at common law and to have verdicts and judgments to colour their titles, and the tenants having interest but for a year do agree with them or meddle not therewith, and so in future there will be a colour for their pretensions. Also the continually yearly shifting the tenants and letting it to those that will give most doth discourage any Englishman to deal with the Commonwealth lands, and they rather choose to take from the Adventurers and soldiers, where they have lands for a long time and at a very low rate. The mischiefs are so visible, and do daily more and more increase upon us, that we hold it our duty again to desire your Excellency to make the same known to his Highness and Council, and what further mischiefs shall ensue thereof we hope shall not be imputed to our neglect, we not having power to give redress therein." 10 Dec. *Ib.* f. 217.

910. Ordered that the Commissioners of Accounts do continue to sit notwithstanding the Order of 7th September last. 10 Dec. Orders A/10. 10. f. 237.

911. THE COUNCIL TO THE LORD DEPUTY FLEETWOOD.

" Many petitions have been exhibited unto this Board, complaining that upon application by them made to the Commissioners sitting at Loughrea, to have forfeited lands set out unto them in Connaught and Clare upon their respective

Decrees, answer hath been given them, either that there is not land sufficient to satisfy the remaining Decrees, or that they should receive their satisfaction in lands so remote and waste (having little or no conveniencies thereon) as render such lands inconsiderable; and having considered thereof and finding that this strictness happens by reason that great stopes of land have (by the said Commissioners at Loughrea) been set out to such of the Irish, as by the late Commissioners of Qualifications at Athlone (either through inadvertency or supposing that there would be forfeited lands to spare) have been adjudged comprehended under the first qualification in the Act of Settlement, who ought not to have any land at all, by which means others who by the rule of the said Act and Decree of Court ought to have land set out unto them, fall short of their due satisfaction; for remedy whereof, we have thought fit to send your Lordship the enclosed [wanting] draught for empowering some fit persons to review the Decrees of the said Court, that in case any such persons (by colour of any Decrees, judgments and executions of mistakes therein) have had lands unduly set out unto them, or above their due proportion by virtue thereof, the same may be rectified or reversed. . . ." 18 Dec. Letters of Lord Deputy and Council A/30. 28. f. 218.

912. Ordered that Dr Harrison, Dr Worth, and Mr Wilkinson be added to the Committee appointed by an Order of this Board, dated 4th April, 1656, concerning the trial of ministers. 22 Dec. Commissions etc. A/26. 24. f. 261.

913. Ordered that the Orders of August and September last to the respective Sheriffs touching Irish Papists transplantable, that do not transplant, be renewed. 31 Dec. Orders A/10. 10. f. 242.

914. Order for removing Irish Papists out of walled towns etc. 31 Dec. *Ib.* f. 243.

915. THE COUNCIL TO VINCENT GOOKIN AND HENRY MARKHAM.

"Understanding that it hath pleased his Highness and Council to pass a Commission and Instructions for letting the houses and lands in this nation, belonging to the Commonwealth,

for some considerable term, and having received good testimony of your experience, faithfulness and circumspect proceeding in business of that kind [we] have thought fit to give you this advertisement, and, in case your attendance in Parliament can well be dispensed with, desire you would return hither with what convenient speed you may, whereby some seasonable preparation may be made for an entrance upon that business, which we leave to your considerations and remain your loving friends."

7 Jan. 1657. Letters of Lord Deputy and Council A/30. 28. f. 223.

916. SAME TO THE LORD DEPUTY FLEETWOOD.

" Understanding that (from an expectation of some Instructions to be prepared and presented his Highness from this Board) there is some respite of sending hither that Commission for letting of leases for some considerable term, which we hear his Highness and Council have passed to that purpose, we thought fit to signify unto your Lordship that the draught of a Commission was heretofore sent your Lordship to be communicated to his Highness if held fit. We presume it came safe to your Lordship's hands and desire your Lordship to consider thereof, withal minding your Lordship that, if the Instructions should be too particular and restrictive in this case, it might disadvantage rather than promote that business. It is therefore held advisable that as much latitude may be given therein as shall be judged fit and may best advantage his Highness' interest and revenue in this nation, and considering that May-day comes on apace and is the usual time for letting of leases here, we desire your Lordship to give order for speeding down that Commission, there being many things to be performed, which are previous to the putting the same in execution and will require some time for preparation." 14 Jan. *Ib.* f. 228.

917. T. HERBERT TO CAPTAIN ABEL WARREN.

" The Council, being informed that Dermot Ryan, the Tory, is lately come in upon treaty with some officers of the army, and hath voluntarily rendered himself prisoner and willing to answer what (in point of murder can be made within twenty-eight days from the time of his submission) be charged upon him, have commanded me to desire your consideration of the time,

and that due care may be taken for preparing what evidence may be had to the end his charge may be ready and trial pass within the time agreed upon by promise or otherwise." 27 Jan. *Ib.* f. 236.

918. The Council, taking into consideration a list of Irish Papists and others, apprehended the 2nd of this month in Proudford's Castle for some misdemeanours, think fit and order that the list of them be returned to the Mayor of Dublin who is further to peruse the same. And concerning David Maguire therein named, he is, upon Maguire's giving security that he will within three days after such security return unto his home in Clare, to discharge him from his restraint ; likewise that Thomas Lynch¹ be also set at liberty upon his giving like security to return to the town of Galway, and before 25th March next out of Galway unto some other part of Connaught, not being a garrison ; that David Nash, John Bermingham, Richard Dillon, gent. and his servant Richard Dillon, Henry Slingsby² Esq. and Lord Strabane,³ upon their giving like security that they will three days after depart this city and within one month remove themselves into Connaught, be thereupon discharged. As to such men named in the said list as are labourers, husbandmen and handicraftsmen they are to be set at liberty, first giving security that they will depart this city and county of Dublin by 25th March next. Concerning Mary Robuck, Rose Eustace and Margery Brenan that they be forthwith discharged, the said Mayor being nevertheless to make inquiry whether the schoolmistresses of the said Rose and Margery be Protestants or Papists ; and, if it appear that they are Papists, he is to take care that their husbands, if any, otherwise themselves enter into securities that they will depart by 25th March next. As to such as are wives or women servants the Mayor is to inform himself whether their husbands and masters be Papists ; and if so to

¹ Probably Thos. Lynch, merchant of Galway, who in 1649 lent £2000 to the Marquis of Montrose.

² Son of Sir Frances Slingsby, restored, 1661.

³ George Hamilton, fourth Lord Strabane, brother and heir of James, third Lord, who died at Ballyfatten on 16 June 1655, having forfeited his estate by taking part in the Rebellion with his stepfather, Sir Phelim O'Neill, the second husband of his mother, Jane Gordon, a daughter of the Marquis of Huntly.

take security from them that such wives and servants shall remove by 25th March and thereupon to set them at liberty. As for such as are widows the Mayor to take security that they remove before 25th March. The eight first named, except Richard Dillon, to give security of £50 apiece and the inferior persons and the said R. Dillon £10. 6 Feb. Orders A/10. 10. ff. 260-1.

919. The Council having considered the letter from Robert Park¹ one of the J.P.'s for county Sligo, signifying that he hath lately secured two Tories, viz. Mulmurry O'Hart, and Hugh M'Brian Oge M'Rory O'Hart, who came in and submitted upon tenders of grace held forth in the late Proclamation of this Board, dated 10th December last, order that they be set at liberty on giving good security to appear at the Assizes to await their trial for what may be alleged against them. 9 Feb. *Ib.* f. 263.

920. Ordered that the Commissioners at Loughrea do not dispose of any more lands in the Barony of Clare in County Galway without special order. 9 Feb. *Ib.* f. 265.

921. THE COUNCIL TO COLS. LAWRENCE AND SAUNDERS, AND MR SOUTHWELL.

"By yours of the 6th of this month we perceive that the *Plain Dealing* is ready to set sail, staying only for a convoy and fairer wind, and that you cannot possibly upon the sudden procure the full quantity of provision which was desired. The speedy setting sail of the *Plain Dealing* is apprehended to be of such necessity that we would not have the want of more provisions to occasion their stay longer than needs must, and therefore, wind and weather favouring, would have them to put to sea and take the *Paradox* (which now rides at Kinsale) for their convoy unless the *Bassing* or some other man-of-war, being of better force than the *Paradox*, shall come thither in the interim. . . ." 9 Feb. Letters of Lord Deputy and Council A/30. 28. f. 240.

¹ Capt. Robert Park or Parke of Newtown Castle, for whom see Wood-Martin's *Hist. of Sligo*, ii, pp. 60-64. He was afterwards one of the M.P.'s in Richard Cromwell's Parliament for the united counties of Leitrim, Sligo and Roscommon. Thurloe, *State Papers*, vii, p. 593.

922. Order for the enrolment in Chancery of the following four Additional Instructions to the Lord Deputy and Council dated 27th March 1656, viz.

“ 2. That such charters, liberties and privileges be granted under the Great Seal of Ireland unto the cities and corporate towns there, which have forfeited their ancient charters, liberties and privileges, as shall by the advice of some of the most experienced persons of each province within that nation (to be nominated and appointed by the Lord Deputy and Council for that purpose) be found most conducing to the well-governing of the inhabitants there, and carrying on of merchandise, trade and manufacture in that country, as also by Commission under the Great Seal, to appoint and make choice of so many experienced persons, as the Lord Deputy and Council shall conceive necessary, to be a Committee of Trade to offer their advice to the said Lord Deputy and Council for the better carrying on and ordering of trade in Ireland.

“ 3. That one penny half-penny by the acre be yearly reserved, and payable to his Highness and successors half-yearly by the Irish proprietors, their heirs and assigns out of every acre of profitable land that is or shall be assigned to them respectively in Connaught or County of Clare according to their respective qualifications contained in the Act of Settlement, and that letters patents under the Great Seal of Ireland be accordingly granted unto as many of them, their heirs and assigns as shall desire the same ; provided that the said rent of one penny half-penny by the acre do not commence to be paid by any of them until one full year after he or they shall respectively be put into the peaceable and quiet possession of such lands as are or shall be assigned unto them as aforesaid.”

“ 6. That letters patents under the Great Seal of Ireland be granted unto all or any the officers and soldiers, their heirs and assigns, of their respective lands allotted unto them in Ireland (under the yearly rents already reserved), who shall desire the same for the better corroborating of their titles and interests to their said lands.

“ 7. That upon request to be made by any of the officers, soldiers, Adventurers or other Protestant proprietors in Ireland, their respective estates be created into one or more manors, provided that every manor contain at least 1000 acres of profit-

able land and not exceeding 6000 acres, and that fairs, markets, courts leet, courts baron, courts of pie-powder, waifs, strays, goods of felons, goods of fugitives, free warren, as also courts of record to be kept in every market town for the trial of personal actions not exceeding £200, and all other royalties, privileges and immunities, formerly usually granted to planters in that country be granted under the Great Seal of Ireland unto the aforesaid persons, their heirs and assigns respectively, reserving upon each of the said grants unto his Highness and successors such moderate yearly rent as may further enable and give the said respective persons encouragement to plant their said estates with English." 16 Feb. Orders A/10. 10. f. 252.

923. Ordered that Friday February 27th be observed as a day of thanksgiving for the preservation of his Highness.¹ 16 Feb. *Ib.* f. 268.

924. "Whereas by former Orders from this Board the lands lying within three miles of the sea and Shannon, as also the lands within five miles of Galway and within one mile of several garrisons and plantations in the Province of Connaught and County of Clare, and other lands in Connaught and Clare were reserved from the Irish and set for one year or more (determining 1st May next) to several tenants for the use of his Highness and the Commonwealth, which lines, by subsequent Orders of this Board, have been contracted to more narrow bounds, by which means a great part of the lands, formerly reserved and set to such tenants, is since assigned and set out to the Irish in satisfaction of their Decrees; and whereas several complaints have been made unto this Board by such to whom the said lands or other lands are assigned and set out upon Decrees at Loughrea, that they are not permitted either to enjoy the quiet possession of the lands assigned them, or to receive the rents reserved thereout to the Commonwealth, for that the said rents have been put in charge and accordingly are taken up by the respective Receivers for the use of the Commonwealth, it is therefore hereby ordered that the Receivers of the Public Revenue in the respective precincts in Connaught and Clare,

¹ Sexby and Sindercombe's plot, 8 Jan.

where any of the said lands do lie, (upon certificates unto them, produced under the hands of the Commissioners at Loughrea or any two or more of them, that the said lands are such lands as are now in lease and, pursuant to the Decrees of the said Court at Athlone, assigned and set out to the Irish as aforesaid for or towards their satisfaction) do forbear to take up such rents as are reserved thereout to the Commonwealth, and in case any such rents as are grown due since 1st May 1656 do remain in the tenants' hands or paid unto the respective Receivers aforesaid, or assigned by them since the time aforesaid, such monies shall be paid or made good to the persons having such Decrees and to whom they are set out as aforesaid, by the Receiver or Receivers, and that the said Receivers make a return of the said certificates and of the rents formerly reserved on the lands therein contained unto his Highness' Court of Exchequer, and the officers of the said Court are thereupon to put the said lands out of charge." 16 Feb. *Ib.* f. 281.

925. Ordered that a vessel from France supposed to contain counterfeit coin be searched. 18 Feb. *Ib.* f. 273.

926. " Upon consideration had of a report from the Committee appointed, by order of this Board of 17th inst., to consider of fit powers and instructions to be given to such persons as should be appointed Commissioners in the several counties of this nation for the uniting and dividing of parishes, and also to consider of what they should judge fit further to offer to this Board as previous to that work, wherein they offered that where there is an orthodox minister settled by the State in any parish, that he should for the present receive and enjoy the whole tithes and take the profits of the glebe-land of that parish where he should be so settled, saving all rights, if any should appear ; and that, if the profits of the glebes and parochial tithes should not amount to that maintenance which is already given by the State to that minister, that so much as his salary was formerly should be supplied to him out of the treasury of the tithes, until some other provision should be made for him by a union or otherwise, it is ordered and declared that, upon the desire of any such ministers as are or shall come out of England, with approbation from the persons appointed there for that purpose, or who are or shall be

settled by this Board in any parts of this nation, to receive tithes of the places where they are or shall be so settled, the Council will take care that they shall be invested in the same accordingly, provided that the tithes of any such living exceed not the sum of £200 per annum; and in case the tithes of any such parish or parishes shall fall short of that salary, which is at present allowed to the minister of such parish or parishes that then so much as his salary was formerly shall be supplied to such minister out of the treasury of tithes. And it is further ordered that the Committee appointed to consider of fitting instructions . . . be desired to hasten that business, to the end that godly and able ministers may be placed in them and receive their maintenance settled by law." 25 Feb. *Ib.* ff. 275-6.

927. Ordered that the manor, lands and town of Portumna be settled upon Henry Cromwell his heirs and assigns for ever. 2 March. *Ib.* f. 277.

928. The Council, taking notice of the many complaints presented unto them both by Adventurers and soldiers of rents, mortgages and other encumbrances lying upon those lands set out to them, appoint the Lord Chancellor, Chief Justice Pepys, Lord Chief Baron Corbett, Robt. Goodwin, Col. Matthew Thomlinson, Wm. Bury, Lord Chief Justice Lowther, Sir John Temple, Justice Donnellan, Sir Robert Meredith and Col. Arthur Hill a Committee to send for and treat with all such persons who have rents etc. upon any lands forfeited to the Commonwealth, in order to the allowing them certain proportions of the lands liable thereunto, or by some other equitable way of discharging the lands of such rents etc. 2 March. *Ib.* f. 279.

929. "The Council having received many complaints of the abuse of some Orders formerly granted to several persons to carry away idle and vagabond persons to the West Indies, who instead of pursuing the direction of those Orders, by having a warrant from some of the Justices of the Peace of the county where such persons were taken up, employ persons to delude and deceive poor people by false pretences either by getting them

d the ships, or in other by-places into their power, and
 ing them away, the person so employed having so much
 piece for all they so delude, and for the money's sake have
 enticed and forced women from their children and husbands,
 and children from their parents, who maintained them at
 school, and that they have not only dealt so with the Irish
 but also with the English, do think fit and order that all Orders,
 granted to any person whatsoever (being now in force) to take
 up and carry idle and vagabond persons as aforesaid, be
 henceforth made null and void, and they refer it to the care
 of the Justices of the Peace in the several counties and to the
 governors of the several precincts and garrisons in this nation
 that the execution of all such orders be for the future for-
 borne, leaving the dispose and prosecution against such idle
 persons to be according to the usual proceedings of justice.”
 4 March. *Ib.* f. 283.

930. T. HERBERT TO SECRETARY THURLOE.

“ The Council, having lately taken into their serious con-
 sideration what may be most for the security of this country
 and the encouragement of the English to come over and plant
 here, did think fit that all Popish Recusants, as well proprietors
 as others, whose habitation in any port-town, walled-town, or
 garrison and who did not before 15th September 1643 (being
 the time mentioned in the Act of 1653 for encouragement of
 Adventurers and soldiers ¹) and ever since profess the Protestant
 religion, should remove themselves and their families out of all
 such places and two miles at the least distant therefrom before
 20th May next ; and being desirous that the English people may
 take notice, that by this means there will be both security and
 conveniency of habitation for such, as shall be willing to come
 over as planters, they have commanded me to send you the
 enclosed Declaration [wanting] and to desire you that you will
 take some course whereby it may be made known unto the
 people for their encouragement to come over and plant in this
 country.” 4 March. Letters of Lord Deputy and Council
 A/30. 28. f. 246.

¹ Meaning the Act of Satisfaction, 26th Sept. 1653. The proviso is contained
 in the Further Instructions to the Act. See Firth and Rait, *Acts and Ordi-
 nances*, ii, p. 751.

931. THE COUNCIL TO SIR JOHN REYNOLDS AND MAJOR MORGAN.

“ By occasion of many complaints from time to time touching the inconveniences arising to the people here by foreign coin,¹ the same being either generally of base metal or not near answering the intrinsic value to what they pass for, we have taken the same into our serious consideration, and the benefits which, in our judgments, would redound to this land by a due and timely depressing thereof, which we apprehend would be the producing more plenty, balancing and quickening trade, necessitating and encouraging the exportation both of English inhabitants and commodities, and forwarding the plantation here. The expedients and steps for this work are many and will require time thoroughly to consider ; and, being considered, to put in execution, being gradually to be done ; yet because the opportunity now in our hands calls for some speedy beginning therein, and yet not conceiving ourselves by any of our Instructions empowered for it, we do therefore in the first place (as our duty requires) submit the consideration of the whole to his Highness’ wisdom and pleasure, whether we may at all make any progress in it, which if approved of, that then his Highness and the Council would please to empower us here in order thereunto for the using such ways and means to effect the same as we shall judge meet. And we further desire you that you will endeavour the speedy signification of his Highness’ pleasure herein, it being very requisite and necessary to the present carrying on of this affair.” 4 March. *Ib.* ff. 246-7.

932. Ordered on the petition of Sir C. Coote, that the sixty Irish families employed in his ironworks be excepted from transplantation till 25th March 1658[-9], that his petition be granted, provided that there be no more than fifty men, with their wives and children, and that they do not move above the space of two miles from the place of their labour in Queen’s County. 4 March. References of Petitions A/II. II. f. 472.

¹ See another letter on the same subject, of the same date, from the Council to Thurloe. Thurloe, *State Papers*, vi, p. 96.

933. T. HERBERT TO THE MAYOR OF CORK.¹

"The Council taking into consideration the great inconveniences that have risen from the too great liberty of the press, and not being willing that any thing either scandalous to religion or the present Government should have present rise (through this occasion) from this country, and understanding there is a press at Cork have commanded me to signify their desire of having a speedy account from you of the necessity thereof in that city. . . ." 10 March. Letters of Lord Deputy and Council A/30. 28. f. 248.

934. Ordered that the Commission to the Commissioners at Loughrea be extended till 30th September next, when it is to determine. 17 March. Commissions etc. A/26. 24. f. 271.

935. T. HERBERT TO COLONEL ARTHUR HILL, LT.-COL. NEWBURGH AND MAJOR RAWDON.

"Whereas (pursuant to a Declaration of his Highness, the Lord Protector and the Parliament) the 27th February last was appointed to be solemnly kept as a day of public thanksgiving throughout this nation, in commemoration and acknowledgment of the eminent mercies and deliverances vouchsafed this Commonwealth in the preservation of his Highness' person from those detestable and barbarous designs therein mentioned, the Council are informed that the said day and duty was very slightly observed, especially by the Scots ministers, in many parts of Ulster,² where little or no care was taken to convene their respective congregations for performance of that duty, notwithstanding they were by that Declaration solemnly invited and required,—divers of which ministers are said to be at present under salary and established upon the Civil List. You are therefore desired, by the best and speediest ways and means you can, to inquire what those ministers were that are in salary and refused to observe the same, and to certify the same unto

¹ John Hodder.

² "I have lately received intelligence from several hands, that the Scots in Ulster, and even their ministers also in our pay, did decline keeping the day of thanksgiving . . . but did on the other side keep a day of humiliation among themselves, by what authority I know not, which I take to be no symptom of their good meaning." Henry Cromwell to the Protector, 25 March. (Thurloe, *State Papers*, vi, p. 143.) For the reasons alleged by the Presbyterians of Ulster for not complying with the Order, see Reid, *Hist. of the Presbyterian Church in Ireland*. Ed. Killen, ii, pp. 223-225, and authorities quoted by him.

this Board and the places where they are settled." 24 March. Letters of Lord Deputy and Council A/30. 28. f. 250.

936. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"A petition hath been exhibited unto us by William Spencer,¹ setting forth that being but seven years old at the beginning of the Rebellion in Ireland, he repaired with his mother, his father being then dead, to the City of Cork and during the Rebellion continued in the English quarters, that he never bore arms or acted against the Commonwealth of England, that his grandfather Edmund Spenser and his father were both Protestants, from whom an estate of lands in the Barony of Fermoy and County of Cork descended on him, which during the Rebellion yielded him little or nothing towards his relief, that the said estate hath been lately given out to the soldiers in satisfaction of their arrears, only upon the account of his professing the Popish religion, which since his coming to years of discretion he hath, as he professes, utterly renounced; that his grandfather was that Spencer, who by his writings, touching the reduction of the Irish to civility, brought on him the odium of that nation, and for those works and his other good services Queen Elizabeth conferred on him that estate, which the said Wm. Spenser now claims. We have also been informed that the gentleman is of a civil conversation and that the extremity his wants have brought him to have not prevailed over him to put him upon indirect or evil practices for a livelihood; and if, upon inquiry, you shall find his case to be such, we judge it just and reasonable, and do therefore desire and authorise you that he be forthwith restored to his estate, and that reprisal lands be given to the soldiers elsewhere, in the doing whereof our satisfaction will be the greater by the continuance of that estate to the issue of his grandfather, for whose eminent deserts and services to the Commonwealth that estate was first given him." 27 March. Letters of Lord Protector and Council A/28. 26. f. 118.

937. "Whereas his Highness the Lord Protector, by his

¹ William Spenser, or Spenser, was the son of Sylvanus Spenser, the poet's eldest son and heir. His mother, Ellen, daughter of David Nagle of Monaning, co. Cork, was a Roman Catholic. It need hardly be added that Edmund Spenser did not receive a grant of the seignory of Kilcolman on account of his writings against the Irish. His *View of Ireland* was first published in 1633.

letter dated the 15th of July last signifies that he is sufficiently satisfied of the conversion of Thomas Walsh of Piltown in the County of Waterford to the Protestant faith and of his good affection to the Commonwealth of England and accordingly hath empowered this Board to admit the said Thomas Walsh to compound for his estate in Ireland ; and whereas the said Thos. Walsh hath (pursuant thereto and to an Order of this Board) presented the annexed particular of his estate in the Province of Munster, for which he desires to compound, the Council, upon consideration had thereof, think fit and accordingly order that the said Thos. Walsh be and is hereby admitted to compound for so much of the lands mentioned in the said particular and for no other lands by him claimed, nor for any such lands as are already assigned or set out to Adventurers, soldiers or others by virtue of any Order from this Board, he, the said Walsh, paying as a fine for the same the sum of £100 ; which said sum of £100 the said Thos. Walsh is hereby ordered to pay or cause to be paid unto the Receiver-General of Ireland for the time being at two gales or days of payment. . . .” 1 April. Compositions of Delinquent Protestants A/81. 41 f. 44.

938. T. HERBERT TO ISAAC DOBSON, JOHN CRYTCH AND WILLIAM THWAITES.

“ His Highness’ Council for the affairs of Ireland, having taken into their serious consideration of how great consequence it is to the well-being of this nation to settle an able godly ministry throughout all parts of it, and the humble desires of the late agents from the several counties to that end, have resolved (through God’s help) to use the utmost of their endeavours for the accomplishment thereof, and in order thereunto the like Commission and Instructions, herewith sent you, is transmitted unto each particular county, to the end that the revenue arising out of the tithes and glebes formerly appropriated to the maintenance of the ministers of the Gospel, may not only be improved (as the Council are confident it may be in a great measure) especially in such parishes as were formerly waste and now planted, but also wholly set apart for that end.” 3 April. Letters of Lord Deputy and Council A/30. 28. f. 256.

Note.—The like letter sent to the Commissioners for setting tithes etc. in the several counties in Ireland. *Enclosed.*

938 (i). Instructions for setting and letting the parochial tithes and glebes formerly appropriated to the maintenance of the ministers of the Gospel. *Inter alia*,

“ 1. You are to let and set for one year, commencing 1st May next and ending 30th April 1658, at the best improved rent you can over and above all taxes and contributions, all the said glebe-lands and tithes now in the possession and dispose of his Highness and the Commonwealth to such persons as shall desire to become tenants to the same, preferring such to the tenancy thereof as are occupiers and tillers of the said lands, provided they will give a competent rate for the same ; and that you may know what rate is competent or reasonable you are to endeavour to inform yourselves, by the best ways and means you can, what number of acres, quantity and sorts of corn and other things titheable there is in each parish ; and that you let not to any one person more than the tithes and glebes of one parish in one contract.” 3 April. Commissions etc. A/26. 24. f. 269.

939. THE COUNCIL TO SECRETARY THURLOE.

“ We have in some former addresses represented the ruinous condition the town of Galway then was in, and should not have adventured to give you this further interruption amidst your many and great affairs did not our duty to his Highness, and the due sense we have how much the public will undoubtedly suffer, if some speedy and effectual course be not taken for the well planting thereof, give us some enforcement to it. His Highness hath so perfect an understanding of that place, as we need not add much ; howbeit [we] may be bold to say that for the situation thereof, voisinage and commerce it hath with Spain, the Straits, West Indies and other places, no town or port in the three nations (London excepted) was more considerable, nor in all probability would more encourage trade abroad or manufacture at home than this, if well improved. It is a town made very defensive both by art and nature, and consists of many noble buildings, uniform and most of them of marble, which that country hath plenty of ; yet by reason of the late horrid Rebellion and general waste then and since made by the impoverished English inhabiting there, many of the houses are become very ruinous ; and inasmuch as there appears more encouragement for this new plantation than formerly (for that no Irish are per-

mitted to live in the city or within three miles thereof) the better to accommodate the inhabitants with conveniencies, the place becomes better secured, and merchants have a more hopeful gain by trade than when the interest of the town was in the Irish and other Papists that lived there.

“And whereas the eminent deservings and sufferings of the inhabitants of the City of Gloucester induced the late Parliament (in compensation of their sad losses) to order them such a proportion of forfeited lands as should be valued at £10,000 according to the rates, but, as is conceived, postponed to the satisfaction of the Adventurers, we know no better expedient either towards discharge of that debt, or for the well planting of Galway, than humbly to propose that the said town, or such part as shall be held fit, and lands about it (reserved for the said plantation) be disposed of to the corporation of Gloucester upon such terms and conditions as his Highness and the Parliament may judge fit for their encouragement. In our apprehension there never was a fitter time than now for such an undertaking and forasmuch as the plantation and settling manufactures in that town is not a work for any private interests, but a society to undertake ; considering likewise of what public advantage Londonderry was, not only for the civilising and securing Ulster, but the whole nation, when in the late Rebellion only that place and Dublin stood free from the Irish rebels, we submit it to his Highness’ wisdom of what consequence this place may be if well planted, or as may otherwise be held fit. This may happily not only secure the public peace of Connaught, but subdue the spirits of the discontented Irish and other Papist inhabitants within that province, which is now more than ever to be taken care of, seeing so many proprietors, swordsmen and other dangerous and disaffected persons are transplanted thither from all other parts of this nation ; and if any invasion should be designed from abroad, the reputation of that town may doubtless be a very great check to it, and much other public good may (by the blessing of God) hereby redound unto his Highness and the Commonwealth.”¹ 7 April. *Ib.* f. 255.

¹ The English plantation in Galway was a failure, and Henry Cromwell afterwards declared that the place had been given away for a song. Thurloe, *State Papers*, vii, p. 39.

940. THE COUNCIL TO THE LORD PROTECTOR.

“ We have received sundry petitions from divers Adventurers and soldiers, complaining that the lands, which have been assigned them in this nation for satisfaction of their respective adventures and arrears, are encumbered with rents, statutes, mortgages and the like ; for remedy whereof we have, pursuant to your Highness’ Instructions dated 27th March 1656, appointed a committee of some members of this Board to send for and treat with all such persons as have encumbrances upon any lands forfeited, in order to the allowing them certain proportions of the lands liable thereunto, or by some other equitable way, according to the value of such rent or encumbrance and the right of such person desiring the same, that so the rest of those lands may be disburdened of such encumbrances and remain free for satisfaction of those several adventures and arrears and as may be most for the advantage of the State. Howbeit our hopes and endeavours herein have hitherto proved ineffectual, not being able to procure their consent therein without apparent prejudice to the State, and by this obstruction plantation hath not been a little discouraged and the public thereby prejudiced.

“ As also whereas your Highness, by the Ordinance for the encouragement of Adventurers, soldiers and planters in Ireland, hath appointed the County of Kildare for reprising the encumbered lands set out to Adventurers and soldiers duly claiming the same according to the purport thereof, and to such computation as shall be made and certified by such person and persons as shall be authorised by your Highness and Council, we hold it our duty to put your Highness in mind thereof, and (forasmuch as your Highness hath not, for ought we know, empowered any as yet to put that clause in execution) we humbly pray your Highness to take the same into speedy consideration, and, upon nominating the persons you may think fit to trust in that concerning Kildare as your Highness shall think fit, for ratifying and putting your Highness’ said Instructions into execution, which we believe will cause this business (which indeed is of extraordinary concernment) to go cheerfully and successfully on both for the well planting this so waste a country and otherwise tend to public good.” 6 May. *Ib.* f. 260.

941. T. HERBERT TO LT.-COL. DUCKENFIELD.¹

" 'Tis above fourteen days since I acquainted you that I presented that letter of yours to the Council, which gave their Lordships notice of the distressed condition of the Popish priests now in prison at Carrickfergus, and that (for that no settled maintenance was allowed them) you had disbursed some of your own money for their necessary relief. To which their Lordships commanded me to make this return that, for what you have laid out upon that account, upon presenting a particular of your disbursements you will be repaid the same; and you were desired to continue the same allowance to those priests until further order be given you concerning them, which is under consideration." 26 May. *Ib.* f. 267.

942. SAME TO MAJOR RAWDON.

" There being at this present some business before the Council concerning Major-General Monro, which hath been referred to a committee of the Board, who finding the said Major-General to insist upon his justification, and that he never acted to the disservice of the Parliament²; forasmuch as you were present at the taking of Carrickfergus, and (as is believed) have good knowledge of his behaviour and acting in that province during the late Rebellion, you are desired under your hand, and with what convenient speed you may, to certify your knowledge concerning his defect and what he is justly chargeable with in behalf of the State." 2 June. *Ib.* f. 269.

943. THE COUNCIL TO SECRETARY THURLOE.

Desire that when any Acts or Proclamations are transmitted to Ireland for publication they may be officially transmitted, as certain Acts lately passed, among them that concerning

¹ Duckenfield was appointed Governor of Carrickfergus during Cooper's absence in England.

² There can be little doubt that Major-Gen. Robert Monro by his treacherous seizure of Belfast in 1644, in violation of the agreement between the English and Scottish Parliaments, that the interest of the latter was to be confined to the occupation of Carrickfergus and Coleraine, did act to the disservice of the Parliament. His own letter (Sir Jas. Balfour's *Annals of Scotland*, iii, p. 357) to the Parliament of Scotland, dated 26 Dec. 1645, "shewing them, if that they condescendit to the Englishe to pairt with the toune of Belfast, that they might lykwayes pairt with all their interest in Ireland," seems sufficient evidence on this head. See Hill's *Montgomery MSS.*, p. 168, note.

Assessments, having reached them through a private channel, cannot, for that reason, be acted upon. 8 July. *Ib.* f. 274.

944. SAME TO THE LORD PROTECTOR.

"We lately sent your Highness an account of the yearly Revenue of Ireland. Since which, having found by Mr Standish that there hath been a stop put upon him from drawing over money for supply of your Highness' forces here, we have thought it our duty to prevent any inconveniency that might arise hereupon (as also that your Highness may know the state of the whole charge of your affairs here) humbly to tender to your consideration the enclosed lists [wanting], wherein your Highness may be pleased to take notice that the monthly charge upon the military list is £27,170; the army being in arrear the 5th of this month six months and fourteen days, towards payment whereof there is in arrear of the allowance from England £67,373. Concerning which we humbly beg this last sum may be speedily supplied to us, and the greatest part thereof in specie, to answer the great want of money here occasioned by the foreign coin, and for the future that your Highness would please to settle such supplies as may conduce to the defraying the charge of your affairs here." 8 July. *Ib.* f. 276.

945. INSTRUCTIONS FOR RICHARD LAWRENCE, HENRY MARKHAM, VINCENT GOOKIN, RALPH KING AND THOS. HOOKE ¹ OR ANY TWO OR MORE OF THEM.

1. You are to treat with such person or persons, being Protestants, as are desirous to become tenants unto any of the forfeited or delinquent lands within the counties of Dublin, Kildare, Carlow, Cork or any other county or counties, which are not assigned unto the Adventurers or soldiery, or otherwise disposed of, which are, or on 1st May next shall be in the immediate dispose of his Highness, as also unto any of the lands called Crown lands or Corporation lands forfeited, or lands formerly belonging to archbishops, bishops, deans, deans and chapters etc., which are, or shall be, in the immediate dispose of his Highness on 1st May next, in order to the setting of all and every of the said lands for any term not exceeding 21 years, at a certain rent over

¹ Commissioners for granting leases.

and above all assessments and all manner of public charges whatsoever chargeable upon land, rent or stock.

8. You are to acquaint all such person or persons that he or they are, by his or their lease, bound to fence the land round about with a ditch, and set the same or at least a third part thereof with quick-sets (where the lands will bear it) as also to plant two trees of oak or ash for every acre of land set unto him or them, in such places as shall be conceived best, and that when any of the said trees die another shall be planted in its room.

12. Further you are to treat with such persons, being Protestants, as shall be desirous to become tenants unto any of the houses, tenements, and other hereditaments belonging unto his Highness in the cities and towns of Dublin, Drogheda, Waterford, Wexford, Kilkenny, Ross, Clonmel, Youghal, Cork, Kinsale, Limerick, Kilmallock, Cashel, Athlone, Dundalk, Galway or any other city or walled town in Ireland, which are, or on 1st May next shall be in the immediate dispose of his Highness, in order to the setting the same for the term of 31 years, according to such surveys as either are, or shall be taken upon oath by such persons, as shall be appointed thereunto, expressing the length, breadth, quality and condition of the premisses, together with the gardens, outhouses and other accommodations thereunto belonging, taking especial care that where any Protestant tenants are in possession they are to have the preference.

14. Likewise you are to make effectual provision with such persons as you treat with that they shall not set or demise any of the houses they desire to treat for to any Papist whatsoever, without special licence from this Board. 17 July. Commissions etc. A/26. 24. ff. 278-281.

946. NAMES OF WALLED TOWNS IN IRELAND VIZ.

Leinster : Dublin, Drogheda, Dundalk, Trim, Navan, Kells, Athboy, Kilkenny, Naas, Gowran, Wexford, Ross, Thomastown, Fethard, Ferns, Kildare.

Munster : Waterford, Cork, Kinsale, Limerick, Kerry (*sic*), Tralee, Kilmallock, Youghal, Dungarvan, Carrick, Cashel, Clonmel, Cahir, Clare.

Ulster : Carrickfergus, Armagh, Newry, Strabane, Carlingford.

Connaught : Athlone, Galway, Loughrea, Roscommon, Sligo, Elphin, Leitrim, Jamestown, Athenry. 20 July. *Ib.* f. 284.

947. THE COUNCIL TO THE LORD PROTECTOR.

“ By our former addresses we acquainted your Highness that sundry complaints have been exhibited at this Board by several proprietors and others transplanted into Connaught, who (by Articles and otherwise) were to receive lands there, according to their respective qualifications, and upon application made unto the Commissioners at Loughrea to have lands assigned them upon their Decrees, have this answer returned that either there is not land sufficient to satisfy, or that satisfaction is to be made them in lands so remote and waste as renders it of little or no value to them ; and forasmuch as many Irish, who have parted with considerable estates and convenient habitations, are thereby reduced to little better than a starving condition, we have been induced to make what possible provision for them we warrantably could, by contracting the three-mile line formerly reserved to one-mile upon the sea and Shannon, by assigning them the Barony of Clare and islands with all other forfeited lands formerly reserved about divers garrisons, and have now only reserved 500 acres about Claggan Bay, 200 acres about Ballymoe, 500 acres about the castle of Clare, 100 acres about Cahernamart, 200 acres about Broadhaven, lands of a mile compass about Carrigaholt, 700 acres about Athlone and 200 acres about Sligo, the isles of Aran and Boffin, as also the forfeited lands in the County of Leitrim, which garrisons are as few, and the reserved lands as small as consists with safety and the necessary accommodation of those garrisons. And this enlargement, albeit it makes some addition, yet, as we are informed, it will not be sufficient to satisfy the Decrees given those transplanted persons ; and whereas your Highness by your late Additional Instructions hath reserved the County of Leitrim and the forfeited lands within the mile-line of the sea and Shannon for the satisfaction of the arrears of the army for service before 5th June 1649, in case the three other counties set apart be not sufficient (as it is probable they will not) we thought it seasonable to put your Highness in mind thereof, and that your Highness’ pleasure, as there may be cause, may be signified

therein. And seeing there appears no possibility of making good the favourable intention of the State towards those transplanted persons any other where than by the disposition of those lands in Connaught and Clare so far forth as they will extend, and also that the arrears before 1649 require a just and due consideration, we humbly present the conditions of both to your Highness." 22 July. Letters of Lord Deputy and Council A/30. 28. ff. 277-9.

948. SAME TO THE SAME.

"In obedience to your commands we have endeavoured to make particular inquiry into the state of the Revenue of this nation as also the issues upon the Civil List, hoping by this time to have given your Highness a true state thereof in each particular branch ; but we do not find the Revenue so fully settled as we hope it will be in a short time, and therefore all that we can now represent to your Highness therein is, that we do not question but you may depend upon the yearly income as we lately represented to your Highness. As to the Civil charge the same, consisting of several parts, will require some longer time to retrench and settle so as may be without any prejudice to your Highness' affairs, which work we are upon, and at present give your Highness this account, that we question not but to bring the same within the compass of £34,000 a year (excepting the charge of finishing fortifications and surveys, which we think may require a gross sum of £10,000). The particular account when finished shall speedily be transmitted to your Highness. The account last sent your Highness of the arrears due from England was commencing from 3rd September 1655, at which time there was allowed for Ireland £17,000 a month, before which there was an arrear due of near £100,000 ; but upon the reducement in September 1655 we find that £62,425 will satisfy, which sum we humbly desire due consideration may be had, by reason the £67,373 remaining upon the last account sent your Highness will scarce pay the army three months." 22 July. *Ib.* f. 280.

949. H. LAWRENCE TO THE LORD DEPUTY AND COUNCIL.

"His Highness and Council, having received information from the Committee appointed to take care of the monies collected

for relief of the poor Protestants in the valleys of Piedmont, that of the monies collected for that purpose in Ireland there is only the sum of £1092¹ returned unto the Treasurers here appointed to receive the same, have thought fit to recommend it to your Lordships' especial care to take order for the speedy sending over of the remainder of the monies so collected, to the end the same may be applied to the use whereunto it was intended, as well by those who so freely contributed unto that charitable and pious work as by his Highness and Council, who have taken care that the same shall be employed accordingly." [5 Aug.] Letters of Lord Protector and Council A/28. 26. f. 147.

950. OLIVER CROMWELL TO THE SAME.

"We are informed by Lord Broghill that towards the conclusion of the Rebellion in Ireland capitulation was made with some Irish rebels for their transportation into Spain, but that the Commissioners of Parliament, then there in chief authority, not esteeming it advisable to transport men openly upon the public account, the said capitulation had like to have remained ineffectual and the nation pestered with those rebels, which several officers of the army then at Dublin being sensible of, subscribed a paper to the said Commissioners, wherein they offered, if £1100 were advanced unto them, to victual the Irish so to be transported, and that, in case capitulations which they could make, and afterwards did make with one Col. Mayo, employed by the King of Spain for Irish levies were not performed in Spain, that then the said Commissioners would pay the freight and other charges of those vessels, which should transport the said Irish, and after a convenient time should be satisfied for such disbursements out of the respective arrears of the said subscribing officers proportionably to their subscriptions, provided always that upon the King of Spain's failure the said officers should have letters of marque to repair themselves of such breach of capitulations; that in pursuance of this overture the said Commissioners did advance £1100 towards the transportation of the said Irish, who accordingly were transported into Spain, and capitulations being unperformed there (the Spaniard only promising to pay what was due upon the arrival of their

¹ See note, p. 545.

next plate fleet), the ships returned, and the Commissioners of Parliament paid above £1000 towards the discharge of their freight, and suspended the payment of the rest, in expectation that the capitulation would be soon after performed, there being then an agent to follow the business in Spain, who gave every day hopes thereof ; but at length the wars breaking out between us and the Spaniard all expectation from thence ceased, and ever since the owners of the vessels which transported the Irish have remained without any satisfaction, and Captain Joseph Deane, who made the contract with them in behalf of the said officers, [is] in daily hazard of losing his liberty and having his estate ruined by them.

“ We are further informed, that because no mutual contract was subscribed between the said Commissioners of Parliament and the said officers, that you have hitherto scrupled to pay the residue of that debt, which is about £1000; to which Lord Broghill tells me that such a formal agreement was declined lest it might have manifested what was intended to be concealed, and that the sums already paid were upon no other contract but this, which tied the Commissioners to a performance of the whole as well as that part. He further says that it is certain so much money was paid and if that the capitulation by which the same was paid can be produced those allegations of his will be found therein, and if no capitulation can be produced, then so much money unless for this agreement has been paid upon no grounds, which (doubtless) the Commissioners of Parliament would never have done. The matter of fact being thus, which we would have you examine, if you are not fully satisfied of it, we esteem it reasonable and just that the residue of the money due to the said owners be paid unto them, with fitting consideration of their damages in forbearance, and, afterwards that the said subscribing officers give security to pay in convenient time proportionably out of their arrears what shall be due unto the public.” 7 Aug. *Ib.* ff. 155-6.

951. HENRY CROMWELL TO SIR JOHN CLOTWORTHY,¹ SIR JOHN SKEVINGTON, THOMAS COOPER, ARTHUR HILL, JOHN DUCKEN-

¹ “ Sir John Clotworthy was a very eminent person in the reign of Charles I; was a member of Parliament in England ; and so instrumental in forwarding the restoration of K. Charles II, that his Majesty immediately after called him into his Privy Council, and by patent, dated at Westminster 21 Nov. 1660,

FIELD, GEORGE RAWDON AND ROGER LINDON,¹ OR ANY TWO OR MORE.

“ Having lately perused a petition and representation of grievances from the well-affected inhabitants of the parish of Deriagh [Derryagh] and places about Belfast, as also another paper from Mr William Dix,² sent hither by Lt.-Col. Duckenfield alleging that, during the time divers sober and peaceable people were together in the public meeting place there, to hear the said Mr Dix and to seek the Lord, Mr Henry Livingston³ preacher at Drumabo came thither with three or four hundred men, who (after some reviling language) in a tumultuary way rushed into that assembly to their disturbance; that one of them in a rude manner laid hands upon the said Mr Dix, being in the pulpit, to make room for Mr Livingston, affirming they had order or authority from the Presbytery, which the said Mr Livingston also owned, withal averring that he would do the like again if required by the Presbytery, with other particulars therein expressed. Which action, if committed as is represented, cannot but be apprehended to be of that evil example and dangerous consequence in disturbance of the public peace, and in contempt and violation of the authority and government of these nations so lately established and published, that, as an attempt of so high a nature the actors and abettors thereof cannot look for any countenance or connivance thereat, so it stands not with that safety and peace which is due to any the people of this nation, much less to any such therein, who, in peace and soberness without breach of the law, profess and practise the fear and worship of the Lord in holiness and sincerity, and accordingly must expect a thorough inquiry to be made of the truth of the premisses. For which I have thought it necessary to transmit unto you true copies of what is complained of and to desire you or any two or more of you upon receipt

created him Baron of Loughneagh and Viscount Massereene, entailing the honours, on failure of his issue male, to Sir John Skeffington and the issue male of his body by the said Mary,” daughter of Sir John Clotworthy and wife of Sir John Skeffington. (Lodge, *Peerage*. Ed. Archdall, ii, p. 377.) Skeffington or Skevington succeeded his father-in-law in the title in 1665. Lives of both Clotworthy and Skeffington will be found in the *Dict. Natl. Biog.*

¹ Roger Lindon served in Ulster as captain of a troop of horse. He afterwards obtained the office of customer at Carrickfergus.

² Minister at Belfast.

³ Nephew of the Rev. John Livingston; died in 1697, aged sixty-six years. For the result of the inquiry see Thurloe, *State Papers*, vi, p. 563.

thereof, for better discovery of the fact, with all convenient speed to appoint some fit time and place wherein to call before you such persons respectively concerned as you shall think fit. . . ." 22 Sept. Letters of Lord Deputy and Council A/30. 28. f. 288.

952. "Oliver P. Instructions given by us with the advice of our Privy Council to our dearly beloved son Henry Cromwell our Deputy of Ireland and such others as are herein after named to be of our Council with our said Deputy, to be by them observed in the government of that our Dominion viz.

"It being necessary for the good government of our said Dominion of Ireland in all our affairs there that a Council be established and settled to assist our Deputy there, and to that end we, reposing great trust and confidence in the fidelity, wisdom and advice of our right trusty and well-beloved William Steele, our Chancellor and Keeper of our Great Seal of Ireland, Richard Pepys our Chief Justice assigned to hold pleas before us in the Upper Bench in Ireland, Miles Corbett Chief Baron of our Exchequer in Ireland, and Matthew Thomlinson and Wm. Bury Esqs. do hereby nominate, assign and appoint them to be of our Council¹ with our Deputy there, and therefore we will that our said Deputy use their advice and counsel in all our affairs concerning the government of our said Dominion of Ireland as hereafter shall be more particularly directed.

1-5. *Ut supra* Articles 1-5, p. 438.

"6. Our said Deputy, with the advice aforesaid, shall take care that no Papist or disaffected person be entrusted with or any way employed in the administration of justice, or in any office or place of trust, nor any person or persons who are disabled to hold any place or office in the Commonwealth according to The Humble Petition and Advice and the Additional Petition and Advice unto us presented by the knights, citizens, and burgesses assembled in the Parliament begun and holden at Westminster the 17th September 1656, and where-

¹ The only change in the Council was the omission of Goodwin—omitted, according to Thurloe, because it was said there was no satisfaction in him. Why? Henry Cromwell professed himself unable to understand; but there seems little doubt that if the army party could have got their way Bury would have been omitted also. *Cf. Thurloe's State Papers*, vi, pp. 599, 650, 661.

unto we have consented, and that no Papists be permitted to practise there as sergeants or counsellors-at-law, attorneys or solicitors, nor to keep any schools for the training up of youth."

7. *Ut supra* Article 8, pp. 438-440. The 5th clause however as follows. "Our said Deputy and Council have hereby power and authority to set and let to farm any of our lands, tenements or hereditaments whatsoever in our said Dominion of Ireland (unto Protestants only) according to the purport of our letters patents or Commission to that purpose made and passed under our Great Seal of England bearing date 13th February 1656 and the Rules and Directions thereby given."

8-19. *Ut supra* Articles 10-16, pp. 441-2 and Articles 1, 2, 3, and 6 and 7, pp. 578 and 580 respectively.

"20. Our will and pleasure is that our said Deputy and Council do forthwith certify unto us what proceedings have been had upon the ninth and tenth of the Additional Instructions given to our Deputy and Council there the 27th March 1656 and also upon the twelfth of the said Additional Instructions (pp. 581-2) with the particulars relating thereunto, to the end such further Instructions may be given therein as shall be necessary."

21-26. *Ut supra* Articles 11, 16, 17, 18, 20, 21 (pp. 581-5) respectively.

27-28. *Ut supra* Articles 17 and 18 (p. 442) respectively; the latter with this addition—"And our will and pleasure is that these powers and authorities shall continue and be in force for the term of three years from the date hereof and no longer, unless they shall be renewed by us before that time." 16 Nov. Commissions etc. A/27. 25. ff. 75-83.

953. PROCLAMATION.

In pursuance of an Act, entituled An Act for the attainder of rebels in Ireland,¹ whereby 1st June 1658 was set as a term for the prosecution of all claims to any houses, castles, lands etc. in any of the counties of Ireland (other than the eleven counties mentioned in the Act), in case any such claims yet remain unprosecuted, the Lord Deputy and Council have appointed Sir Gerard Lowther, Miles Corbett, Sir John Temple, Sir Robert Meredith, James Donnellan, John Santhy, Roger Ludlow and

¹ Passed 25th June 1657. See Firth & Rait, *Acts and Ordinances*, ii, p. 1255.

Thos. Fowles, or any three or more of them (whereof Sir G. Lowther or Mr Justice Donnellan be one) to hear and determine them. 14 Dec. Commissions etc. A/26. 24. ff. 285-6.

954. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"Whereas by Act of Parliament of 26th September 1653 it is enacted that lands in Ireland to the value of £10,000 shall be surveyed and set out for satisfaction of the town of Liverpool, for their faithful service and great losses sustained, we do therefore hereby, in pursuance of the said Act of Parliament and of our former letter in this behalf, further authorise and appoint you that, out of the forfeited lands in the county of Wicklow in the Province of Leinster, you immediately cause to be ascertained and set out so much lands for satisfaction aforesaid, as upon a true survey you shall find to be proportionable to the value directed in the said Act." 22 Dec. Letters of Lord Protector and Council A/28. 26. f. 156.

955. SAME TO THE SAME.

"A petition and proposals being by some well-minded persons lately presented to us, for the purchasing, with such Debentures or other public-faith debts as were properly satisfiable and chargeable upon Ireland, a certain number of houses to the value of about £2000 a year in such towns as yet are undisposed of in Ireland, and the said houses and annual revenue so purchased by them, forthwith to assign and set over to persons (to be approved of by ourself) in trust for the carrying on a foreign correspondence with learned men, for the supplying and assisting all such at home or abroad whose learning, parts, studies, and abilities have made them capable of being in some way or other extraordinary useful to the public, and for the doing such other things as shall be thought most conducing to the advancement in general of learning . . . and the said proposals . . . having been approved by us and our Council, we . . . do for these reasons judge it worthy of all encouragement, willing and desiring that the same may likewise receive all due assistance and furtherance from your Lordships . . . Your speedy despatch herein may give a considerable advantage to this work, by the opportunity you will

give the petitioners to seek a confirmation thereof in this present Parliament, which we for their public encouragement do much desire." Whitehall, 30 Dec. *Ib.* f. 178.

956. T. HERBERT TO THE SHERIFFS OF THE RESPECTIVE COUNTIES.

"Whereas sundry complaints have been exhibited unto this Board by divers Adventurers and others, some concerning their want of land to satisfy their respective lots, others of the irregular setting down of divers Adventurers contrary to Rule and the Council's intentions, and being desirous that an equal satisfaction and composure of such differences may be made, in order to a firm and regular settlement of such as are or may be concerned, the Council have thought fit to authorise and instruct Vincent Gookin, William Petty, Ralph King and Miles Symner Esqs. or any two or more of them to make due inquiry and examination into divers particulars concerning that business. . . ." 26 Jan. 1658. Letters of Lord Deputy and Council A/30. 28. f. 295.

957. T. HERBERT TO THE GOVERNOR OF GALWAY.

"The Lord Deputy and Council did in July last give order for payment of £100 upon account to Col. Sadleir, to be issued as he should conceive fit for maintenance of such Popish priests as are or should be confined to the Isle of Boffin, according to six pence daily allowance, building cabins and the like. It is not doubted but care was taken accordingly, and for that the judges in their respective circuits may probably find cause for sending more such priests to that island, I am commanded to signify thus much unto you that you may not be wanting to take such care in this business as according to former directions and provision is made, which is expected by their Lordships." 5 March. *Ib.* f. 301.

958. LORD DEPUTY AND COUNCIL TO THE PROTECTOR.

"We are sorry that we cannot give obedience to your very way of satisfying the town of Liverpool their £10,000, by giving them lands in Wicklow for the same, as your Highness directs; that county being already engaged for satisfaction of arrears before

June 1649. Nevertheless perceiving it to be your Highness' pleasure that an effectual course be taken to acknowledge the affections of that place (expressed in their loss and suffering for the good cause), and finding that no lands are likely to be had wherewith the same may be done according to the Act of Parliament in their behalf, and withal it being not clear to us that this debt is postponed equally with those upon public faith, but a more particular care and respect seems to be had of the petitioners by the said Act than of others, and lastly that the houses in walled towns are in your Highness' dispose, we are bold humbly to offer that, forasmuch as there seems to be a great affinity in the merits of this cause with that of Gloucester, and that even the said Act of Parliament allows them equal favour, that the petitioners may be satisfied their debt out of the remainder of the houses in Galway; a great part thereof being already set out for the satisfaction of Gloucester debt afore mentioned. Now forasmuch as those of Gloucester came to demand satisfaction by an Act of Parliament, directing the houses to be set out unto them at six years' purchase, we conceive your Highness' favour in repairing those of Liverpool their want of the like authority, will sufficiently appear, although the said remainder of houses be set at ten years' purchase, which is our humble advice in this case. . . ." 9 March. *Ib.* f. 297.

959. SAME TO THE SAME.

" May it please your Highness, our necessities being very great, and finding what we have hitherto written in order to our relief to be ineffectual, we have humbly presumed to send over the bearer Mr Standish." ¹ 12 March. *Ib.* f. 298.

959 (i). INSTRUCTIONS FOR JAMES STANDISH ESQ.

" You are to make your repair with all speed into England, and applying yourself to his Highness, humbly to show and make appear unto him, or such as he shall appoint, the greatness of the army's arrear in this nation, and, upon account with the Treasurers-at-War there or others, to ascertain the same either to the first day of February last or to some other certain

¹ The difficulty of finding money to carry on the government and to pay the arrears of the army, which had been occupying the serious attention of the Irish Government for months, had at last grown so great, that Henry Cromwell, writing to Fleetwood on 12 March, declared that in sending Standish they were reduced to their last shift. Thurloe, *State Papers*, vi, p. 871.

day, and (as occasion shall require) to demonstrate when and by what degrees and for what reasons the said arrear was incurred, taking notice of the several diversions of the allowance intended this army unto other uses, and of the extraordinary issues of money which have been made upon unexpected occasions, wholly foreign to the intentions of the said allowance, and that there hath not been introduced any unnecessary charge, nor any supernumerary force maintained; but that, contrariwise, besides some frugal expedients about clothing of the army, care hath been taken to secure the peace of the nation with less force than the present establishment allows, without which the present arrear (as great as it is) had been greater by above £10,000.

“You are to show that the Civil revenue hath hitherto yielded nothing towards the supply of the army, by reason not only of the greatness of the ordinary Civil charge, but also of several necessary (but expensive) services, which have happened these late years.

“You are to acquaint them that the present Civil expense will be £35,000 per annum, including contingencies, notwithstanding the late retrenchment of £11,000 made thereof, as also the state of the present Revenue amounting to £28,000 per annum (besides customs and excise) and to do the same as well for some years to come as for the year now next ensuing; and upon comparing and considering of both together, to demonstrate how much (if anything) may be expected henceforward from the said Civil revenue towards the maintenance of the army, consideration being had of a contract said to be made for farming the customs and excise of this nation.¹ All the particulars whereof you are diligently to inquire into and (if possible) to procure a copy thereof.

“You are to make it appear that for want of a convenient sum of money, viz. £96,000, his Highness is now at above £3000 *per mensem* needless military charges; it being probable that with

¹ The advisability of farming the customs and excise had been mooted by Henry Cromwell so far back as July 1657. “The ports of Ireland are so many, and the trade so small for want of exportable commodities, and by reason of the mischief of base money, that at least one quarter of all that revenue is eaten up by collectors and their appendants. Now if the customs were farmed, the farmers being merchants, would, when they were at a certainty for duties, improve trade considerably, and would possibly allow us twice as much as we can save clear, our officers being payed.” Thurloe, *State Papers*, vi, p. 404.

the said sum the same might be so much lessened, with equal security to the nation, which otherwise cannot be done without a general discontent to the soldiery, for not being able to satisfy their debts and scores in the country. That the said sum being sent us by 10th April, we expect to bring down the present established charge of £28,862 *per mensem* unto the sum of £23,500 lately proposed from England by a Committee for that purpose. And if the pay of the companies now in England, belonging to this army be taken off from us, during their service there, the said £23,500 *per mensem* will be brought to £22,000 *per mensem* only, which, considering our receiving at the computation of twelve months in the year and paying at thirteen, is in effect about £2000 *per mensem* less than hath been by the said proposal offered unto us. For defraying whereof, being £26,400 [*recte* £264,000] *per annum*, and support of the Civil charge, being £35,000 *per annum* as aforesaid, you are to demand (besides £9000 *per mensem* assessment to be levied from Ireland) and besides all the Civil revenue amounting to about £28,000 aforesaid over and above the proceed of the customs and excise, such a sum *per mensem*, to be placed upon some certain revenue and to be paid monthly, as will satisfy the above expense.

“The said sum of £96,000 being immediately sent us and the above mentioned monthly allowance settled, we desire that our remaining arrears to the said certain day as aforesaid may be stated, and all preceding accounts relating to this nation cleared, that so the army, upon hopes of receiving the same hereafter, may be the better encouraged to bear and subscribe to the intended retrenchment.” 12 March. *Ib.* ff. 298-300.

960. Upon consideration had of the petition of several English inhabitants, Protestants and freemen of the City of Dublin, praying the Order of this Board that all such persons, who are inclined to Popery, or have married wives that were Papists, and so continue, may not be permitted to have any privilege or to bear any office in the said city, it is thought fit that it be referred to a Committee of the Council to find out regarding the fact and to put the law in execution. 15 March. *References of Petitions A/14. 14. f. 18.*

961. “Upon consideration had of the annexed petition

[wanting] of William, Lord Caulfeild and the inhabitants in and about the garrison of Charlemont, desiring that one Mr Edward How might be settled their minister and be allowed a yearly stipend from the State [it is] ordered that it be referred to Dr Winter, Dr Harrison, Mr Wootton, Mr Cox, Mr Chambers, Mr Charnock, Mr Baines and Mr Mather, or any three or more of them to call the said Mr How before them, and having examined his gifts and graces for the work of the ministry and perused such testimonials as he shall produce for evidencing his holy life and conversation, they are to certify what they find concerning him unto this Board for further consideration.”
17 March. *Ib.* f. 26.

962. T. HERBERT TO THE GOVERNOR OF LONDONDERRY AND CAPTAIN BARRINGTON, GOVERNOR OF MAGHERAFELT.

“The Lord Deputy and Council being given to understand that, under colour of Orders from this Board, there hath especially of late, been a very great destruction made in the counties of Tyrone and Londonderry and other places thereabouts both of small and great timber upon bishops’ and other lands in dispose of his Highness and the Commonwealth, and that one Ellison . . . hath set up an iron work near the Bann and is making great spoil there notwithstanding Major Rawdon’s care thereof . . . you are therefore desired and authorised by their Lordships to make speedy inquiry both as to what wood the said Ellison, or others in his behalf have cut, as also what of late years hath been felled upon any other lands in his Highness’ dispose, and what is now cutting, and to take effectual course for making stop thereof until upon due inquiry into matters of fact, by what Order and for what quantity and time limited, and representation thereof unto this Board, further Order be given concerning the same.” 23 March. Letters of Lord Deputy and Council A/30. 28. f. 302.

963. SAME TO THE SHERIFFS IN THE RESPECTIVE COUNTIES.

“Upon receipt of the enclosed [wanting] concerning divers distressed Protestant churches driven out of Poland¹ etc. you

¹ See on this subject Firth, *Last Years of the Protectorate*, ii, p. 244 and authorities quoted. Among those invited to settle in Ireland at this time was Comenius.

are desired by the best and speediest means you can to distribute the same to the ministers of the respective parishes and congregations and chaplains of the respective regiments and garrisons of the army within your bailiwick " in order to a collection on their behalf. 20 April. *Ib.* f. 308.

964. OLIVER CROMWELL TO THE LORD DEPUTY AND COUNCIL.

" We have received yours of 9th March, in answer to ours concerning the satisfaction to be given to our town of Liverpool for the £10,000 allowed them by the Parliament, and we do very well approve of the way and expedient which you have therein offered for their satisfaction out of the remainder of the houses of our town of Galway, not already disposed of for the satisfaction of the £10,000 allowed to our city of Gloucester, and we do accordingly hereby signify our will and pleasure and do authorise and desire you forthwith to cause satisfaction to be given to our said town of Liverpool for the said £10,000 allowed to them as aforesaid, out of the said remainder of houses at Galway, at so many years' purchase not exceeding ten, as you shall think fit, which rate those entrusted on the behalf of Liverpool do represent to us as far different from that which was allowed to Gloucester, although there be no such disproportion between the merits of their case, yet nevertheless we wholly refer and leave the same to your judgment and determination. . . ." 20 April. Letters of Lord Protector and Council A/28. 26. f. 165.

965. LORD DEPUTY AND COUNCIL TO OUR VERY LOVING FRIENDS THE COMMITTEE OF ADVENTURERS SITTING AT GROCERS' HALL, LONDON.

" Whereas several of the deficient Adventurers do daily make application unto us for their satisfaction, and whereas on the other hand the army conceiving that the County of Louth or part thereof will fall unto them (the original ten half-counties containing, as they suppose, a sufficient security for the whole debt of the Adventurers) do also desire that computation be forthwith made whether any such surplusage doth belong unto them or no, these are to let you understand that we are willing to contribute our utmost help to both, and to that end have

sent the bearer Dr Petty¹ unto you, to acquaint you in what condition and forwardness things are here in order to the said ends, and to confer with you about the way how, and by what persons, and where, according to rule, the said ends and final settlement of the Adventurers may be accomplished, desiring you, as well in your private as public capacities, to afford your best help upon all occasions in prosecuting of the premisses, that the Government here be not causelessly ill thought of; that such who make advantages of the present confusion may be discovered; that such as have only their just rights may be confirmed therein, and that such Adventurers as want it may be speedily relieved; the army receive the surplusage if any be due, or know the contrary so as not to retard their other proceedings by a vain expectation thereof; his Highness' quit-rents ascertained and the lands themselves planted, which until this settlement be effected cannot be hoped for. We desire you to return us an answer hereunto that we may consider what is further to be done in reference to the whole affair." 7 May. Letters of Lord Deputy and Council A/30. 28. f. 313.

966. T. HERBERT TO DR THOMAS CLARGES.²

"In observance of an Order of reference from his Highness to the Lord Deputy and Council, Mr John Lockart was by their Lordships' Order of 30th December last admitted tenant to a house in the town of Armagh and some lands in that county and thereabouts (in his Highness' dispose), containing in the whole about 2470 acres for the term of one year, commencing at May-day last, paying the rent that was reserved the former year for the same, care being therein taken that the English and other Protestants planting and inhabiting in the town of Armagh should be accommodated with a convenient portion of land contiguous, and that in case the said Mr Lockart should renew his lease for a longer term, the said English and other Protestant tenants there should have a fit proportion of land reserved for them lying near the town etc. And whereas their Lordships have lately received some proposals from divers English persons

¹ For the Instructions given to Petty see *Down Survey*, Ed. Larcom, p. 228; and the proceedings of the Committee of Adventurers thereupon. *Ib.* pp. 236-249.

² Afterwards Sir Thomas. See Life in *Dict. Natl. Biog.*

of good affection to the State and considerable interests in this nation, who have voluntarily (by their subscriptions) engaged to build plantation houses in Armagh, upon reasonable terms, to plant the same with English, and out of the present ruins to raise it to a better condition than it was in heretofore, their Lordships, being sensible how much this may tend not only to the security of those parts, but to the example of other places, are very desirous to give it all due encouragement and accordingly have put the same into a way of procedure and intend to reserve such a proportion of the demesne lands adjoining to the town, as may be for their necessary accommodations.

“Now forasmuch as their Lordships are informed that Mr Lockart is endeavouring to pass a patent in England for those lands about Armagh for a considerable term of years, in which ’tis likely he may include such lands as are of absolute necessity to be reserved for the conveniencies of this plantation, (and indeed without which there will be no such undertaking) I am commanded by their Lordships to acquaint you therewith, and to desire you to take care (that in case such a grant be endeavoured) this intended plantation and treaty be seasonably communicated to Mr Secretary Thurloe, that so good a work as this may not want its due encouragement; and that Mr Lockart may not receive the least discouragement ’tis intended that what proportion of lands are, upon this account disposed of from him (which is conceived will not exceed 1000 acres) his supply will be endeavoured with an equivalent proportion of lands elsewhere. and to his equal satisfaction.” 16 June. *Ib.* ff. 310-11.

967. LORD DEPUTY AND COUNCIL TO THE LORD PRESIDENT OF HIS HIGHNESS’ COUNCIL AT WHITEHALL.

“With your Lordship’s letter of 14th April last we received by Major Henry Hassard divers papers and proposals¹ con-

¹ What these proposals were I cannot discover; but it would appear that no immediate action was taken, for on 18 Aug. 1659 the Corporation of Trinity House passed a resolution recommending the erection of one or two lighthouses on the Head of Howth “for a leading mark over the Bay of Dublin.” (*Hist. MSS. Comm.*, App., Rep. vii, p. 248.) Nothing however was done at the time, and in 1661 Dame Mary Graves and Daniel Smith presented a petition to Government, showing that “as yet there was no lighthouse in any part of Ireland,” and in consequence many persons trading thither were cast away or lost their ships. They asked for permission to erect lighthouses at Dublin,

cerning pilotage, light-houses and buoys for the safety and preservation of navigation upon this Irish coast, and agreeable to your Lordship's directions have communicated the same unto some merchants and others here, who are best experienced in affairs of that nature. By whose report, as also from our own observation, we have cause to believe that lights may be of very good use upon our Irish coast, this Channel or narrow sea being dangerous, especially in the winter season, when nights are long and dark and the weather for the most part boisterous. There are three places upon this coast that (is conceived) may encourage the erecting of light-houses—one at the Head of Howth, the easternmost land of Ireland, which light will not only guide such vessels as pass into the Bay of Dublin but be conspicuous to other ships that sail to the north or south of George's Channel; the second at the Tower of Waterford, otherwise called the Tower of Hook, which is in pretty good repair and anciently (as we are told) had a light for direction, not only to those that passed the river of Waterford, but towards Wexford and the Severn, which is opposite; the third is the Old Head of Kinsale, a place much frequented by his Highness' men-of-war and merchants' ships from the West Indies and whose neighbouring bay westward from thence hath, by sad experience, been found very hazardous. To these if there were added another light upon the most southerly promontory or point of the Isle of Man, 'tis believed it would tend much to the security of such as either sail towards the coast of Scotland or other parts of England and Wales. This at present is the best return we can make your Lordship, the charge-dues and duties for perfecting and maintaining this design, as also the ingenuity and merit of the

Waterford, Cork, Youghal and Wexford, and to be allowed to levy twopence a ton on each foreign ship and a penny for each native ship entering those harbours. (*Cal. State Papers, Irel.*, 1661, p. 487.) Their petition was referred to the Corporation of Trinity House; but the Corporation, while agreeing that lights at those ports would be useful, refused to recommend the scheme unless masters, owners, and merchants trading to those parts concurred with the petition and agreed to contribute to the maintenance of the lighthouses. (*Hist. MSS. Comm. u.s.*, p. 252.) So matters rested till Nov. 1665, when Robert Reading was empowered to erect lighthouses at or near Dublin, Carrickfergus, Waterford and Kinsale and to maintain lights there during the night for the protection of life and shipping. Reading erected two lighthouses on Howth Head, one on Island Magee, another at the Old Head of Kinsale and another at the Tower of Hook; but in 1667 he surrendered his patent in favour of the Earl of Arran. *Cal. State Papers, Irel.*, 1667, p. 332.

proposer, being submitted unto your better judgment and consideration by yours." 18 June. *Ib.* f. 312.

968. T. HERBERT TO DR W. PETTY.

" . . . As their Lordships have hitherto had an equal and impartial respect to the army and Adventurers in the distribution of the forfeited lands, liable to their respective securities, so the public good and welfare of the nation being still their sole aim, you may (as occasion serves) assure the Committee that their Lordships will not be wanting to give all due encouragement and help both towards the ascertaining their respective interests and what may otherwise tend to the much desired settlement and plantation of this nation." 7 July. *Ib.* f. 314.

969. LORD DEPUTY AND COUNCIL TO THE INHABITANTS OF GLOUCESTER.

" It hath pleased his Highness the Lord Protector, lately to order that the £10,000 debt formerly allowed and, by the Act for Satisfaction of Adventurers, ascertained the town of Liverpool should be satisfied out of the remainder of the houses in the City of Galway. . . . And albeit by priority of choice you have obtained the advantage, being in possession of the most considerable part of the town and assigned you at a lower value, yours not exceeding six years' purchase and theirs at a much higher value and their proportion more ruinous, we have not the less assurance of their good intention to improve the place as far forth as may be endeavoured. . . . [It is desired] you and those of Liverpool appoint a place to meet and advise together how the well planting, improving and reviving that place by manufacture there and trade abroad may be best advanced. . . ." 7 July. *Ib.* ff. 315-6.

970. SAME TO THE LORD PROTECTOR.

" For some years past pirates and men-of-war belonging to the enemy have been so numerous and busy, that merchants and others have suffered great loss upon these coasts, which hath put so great discouragement upon trade that, as the honour and welfare of the nation were concerned, we have in our former addresses acquainted your Highness therewith. Since which time

the inhabitants of the County of Cork have given us fresh advertisement that the pirates do daily take and carry away ships from their very harbours' mouths and cruise upon those coasts without danger; harbour themselves, wash and tallow in the western ports where, by reason the county is barren, mountainous and destitute of inhabitants, (save such as make a trade to be serviceable to them) they seldom or never meet with opposition. . . . And for that the commerce of this nation as well as the security of those that have recourse unto our ports for safety are so much concerned . . . and many calamities ensue to heighten the miseries of this long languishing nation we humbly crave that some speedy and effectual care may be taken for a competent guard of ships to secure these coasts. . . ." 14 July. *Ib.* ff. 318-9.

971. OLIVER CROMWELL TO THE LORD DEPUTY.

"I have received a petition from Lt.-Col. Nelson touching his transporting Irish into Spain, desiring thereby that he may have some satisfaction for his losses sustained in that business out of lands in Ireland. I do believe he hath been a very great sufferer and that his sufferings have been of some advantage to Ireland, by carrying away those people thence, and I know, and so do you, the services of the said Lt.-Colonel performed in his own person and how well he hath deserved for the same of the Commonwealth. For those considerations I was and am exceeding willing, and indeed desirous that something might be done for him, which might not only repair his losses, but be a mark of favour to him, and therefore although I have not done the thing he desires, as judging it not to be within my power, yet I do most earnestly recommend him unto you, desiring that you and the Council would take him and his case into consideration and put him in some way that may answer his said losses, without which I believe he and his family will be in very ill condition, and if you shall agree of anything to be done by me therein you shall find me most ready to do it." 16 July. Letters of Lord Protector and Council A/28. 26. f. 191.

972. PROCLAMATION. H. CROMWELL.

"Whereas it hath pleased the most wise God in his providence

to take out of this world the most serene and renowned Oliver, Lord Protector of this Commonwealth, and his Highness having in his life time, according to the *Humble Petition and Advice*, declared and appointed the most noble and illustrious the Lord Richard, eldest son of his said late Highness to succeed him in the government of these nations, and whereas pursuant thereunto the Lords of the Privy Council of England, together with the Lord Mayor, aldermen and citizens of London, the officers of the army, and numbers of other principal gentlemen, upon the 4th of this instant September, with one full voice and consent of tongue and heart have published and proclaimed the said noble and illustrious Lord Richard to be rightfully Protector of this Commonwealth of England, Scotland and Ireland and the dominions and territories thereunto belonging, . . . we the said Lord Deputy and Council do hereby publish and proclaim the said noble and illustrious Lord Richard to be rightfully Protector of the Commonwealth of England, Scotland and Ireland and the dominions and territories thereunto belonging and do order and require all sheriffs, mayors and other chief officers of all counties, cities and towns corporate within this dominion respectively forthwith to publish and proclaim within their several jurisdictions the same accordingly." 11 Sept. Letters of Lord Deputy and Council A/30. 28. f. 323.

973. T. HERBERT TO FRANCIS COLE, HIGH SHERIFF OF THE COUNTY OF MONAGHAN.

"The Lord Deputy and Council are given to understand that you . . . have, contrary to law, set at liberty divers persons, who at the last Assizes were convicted for not transplanting themselves into Connaught, which (if true) their Lordships . . . require you forthwith to call in and secure all such persons so set at liberty. . . ." 8 Oct. *Ib.* f. 327.

974. SAME TO SIR CHARLES COOTE, PRESIDENT OF CONNAUGHT, AND COL. THO. SADLER, GOVERNOR OF GALWAY.

"The Lord Deputy and Council having been pleased to pardon sundry persons, who have been condemned at the Assizes and general gaol delivery in the respective counties and

by the judges reprieved, have, nevertheless, thought fit to order their transplantation into the Barbados or some other of the English plantations in America, as also divers others, whose banishment hath been adjudged at the late Assizes (pursuant to the Act of Attainder) for not transplanting into Connaught or Clare; and their Lordships, conceiving that Galway will be the fittest port for that business, have commanded me to signify the same unto your Lordship, who (with Col. Sadler) is desired to speak with Col. Stubbers or such other merchants as you may conceive fit to treat with about the receiving them aboard in order to their speedy transplanting as aforementioned, and what may concern the charge thereof both as to the discharge of fees, expense in removing them from the place where they are now in prison to Galway, the clothing them as there may be need for, and for having a ship ready to receive them aboard, wholesome victuals and provision for such a number (which may be towards 80 or 100) over and above the ship's company, for so many weeks as is usual for the passage; and being so fitted and furnished to set sail with the first fair wind from your port directly to the Indian Bridge (the usual landing place) in the Barbados or other English plantation thereabouts in America, where he is, within two days after arrival at such port or ports, to set them ashore to deliver them to the said merchant or merchants, who are to be at the charge and to have the dispose of them, except the number of ten, who will be speedily designed, to a person¹ inhabiting in the Barbados. . . ." 26 Oct. *Ib.* f. 338.

975. Lord Deputy and Council to the Lords of the Privy Council in reference to the Viscountess Fitzwilliam of Merrion for repurchasing some estates mortgaged before the Rebellion and enclosing a letter from her husband they have found. 27 Oct. *Ib.* f. 328. *Enclosed.*

975 (i). Fitzwilliam's Letter to the Supreme Council.

"After many long debates at our English court and great expectations that your demands should be sent you from thence at full, I find, by our Queen's Counsel that the Marquis of Ormond's

¹ Evidently Edward Smyth. See No. 978.

power to treat with you is (by the going of Mr Grant from his Majesty to his Excellency) to be renewed ; and assurance is by the said Counsel given to Dr Tyrrell and me by word of mouth that you shall have Dublin, with all the towns and forts and garrisons in the Marquis of Ormond's and the English hands put forthwith into yours ; but as for displacing the Marquis of Ormond there is no power here for so doing, yet the said Counsel avers that they will hold his Excellency no loyal subject if, as soon after your being possessed of what is said, he sues not for surrendering up his place of lieutenantship. Only one church in Dublin hath been pressed for here for the use of the Protestants, which I conceive fit to be given, if you so approve. In regard of the Prince's intention (on your uniting and all quietness established) to settle himself there as is thought, if so be that the going of this messenger from the Queen unto Ormond occasions a peace to your contents in general, truly it would (through Christendom) be esteemed a worthy memorable act if your Honours would contrive a means, either out of the monies coming to you from Italy, hence or from elsewhere, to furnish our Prince with a competent sum, his necessities having compelled his Highness to demand (as I am informed) some help of most Christian princes. I partly promised in your behalf that, if your demands be granted, both King, Queen, Prince and theirs should be as gratefully accepted by their Irish Catholic subjects in Ireland as ever they were in England, notwithstanding all our treaties here and the daily promises of this agent's going to you from his Majesty if herewith he shall with you arrive. If he affirms not all what I have said here as touching the Queen's Counsel's words abovesaid to Dr Tyrrell and me to be true, you are to give no credit to what else he shall say. All which I told the said Counsel I would intimate unto your Honours.

“ If you can have the beforesaid offers forthwith made good unto you, in my opinion I would for the present not insist too much for the displacing of the Lord Lieutenant, yet howsoever lose not a day's time for any treaty ; but let your armies prepare, whilst you treat, to take by fair or foul means Dublin etc. for his Majesty's use ; for, believe it, you may easily do it and delays breed dangers. It is thought our English Court could hardly wish you had taken Dublin when you attempted it ; but lose no more such oppor-

tunities, but go on roundly with the work, for it is thought the Presbyterians and the Independents will by their disunion give you sufficient time to use your wills, and it is yet hoped the Scots will not give up their King to the Parliament ; for the King hath absolutely refused to come to Holmby unless he may come to London, saying that, if he be a free man he may go where he pleaseth ; if not, but a prisoner, he is not nor cannot be treated with. It is most probable that the wars are yet not ended in England, still it is most requisite to keep in your minds great supplies for the Marquis of Antrim, by which you will keep Ireland from ever being the seat of war. I writ to your Honours desiring, as now, your pleasure touching frigates which are at Dunkirk, whether you would be willing or not to take ten or twelve or more or less of them as you shall think fit for monies, if any be granted you hence. I hold them most necessary for you. Your Honours will be pleased I hope to see my houseless friends righted and relieved and him, who hath been the cause of their sufferings and his own in showing himself as he ever intends to continue your Honours' most obedient and most faithful servant, Fitzwilliam. 9 Feb. 1647." *Ib.* ff. 329-30.

976. RICHARD CROMWELL TO THE LORD DEPUTY AND COUNCIL.

"Whereas we are credibly informed that Lt.-Col. James Nappier¹ did not only perform a very acceptable and seasonable service by transporting into Spain very great numbers of Irish soldiers pestering our good people of Ireland and endangering the peace of that nation, but that also through the non-performance of the King of Spain, he hath been damnified several thousand pounds, and that he is now sued for several debts, contracted upon account of the premisses. It is, in consideration thereof, our will and pleasure that the sum of £1200 consisting of $\frac{2}{7}$ th parts of soldiers' Debentures due for their service in Ireland since 1649, which yet remain to be satisfied, and whereof the other $\frac{5}{7}$ ths are already satisfied, be paid unto him by lands to be set forth within the security of the army for service since 1649, he producing Debentures for the same accordingly, always

¹ Apparently Lt.-Col. James Napier (also called Napper) of Lougherew, co. Meath, formerly of Col. John Kynaston's regiment of foot, who died in 1676. From a petition presented by Capt. Dennis Gorman in 1661 it would appear that Napier was not above taking bribes from those he transported. *Cal. State Papers, Irel.*, 1661, p. 281.

provided that the $\frac{5}{7}$ th parts of all such Debentures, as have been or shall be produced in order to satisfaction unto the Commissioners for setting out lands to the army within two years after the date of their Commission for that purpose be first satisfied, and provided also that the quota part or proportion of the said $\frac{5}{7}$ ths be not within the said two years generally augmented. And it is our further pleasure for the more speedy and effectual relief of the said James Nappier, that the said satisfaction and assignment of lands may be made unto him with all advantages not otherwise prejudicial to the State or army." 9 Nov. Letters of Lord Protector and Council A/28. 26. f. 203.

977. T. HERBERT TO DR PETTY.

" His Excellency the Lord Lieutenant and their Lordships of the Council having perused your letter of 9th November, inst., as also another from some of the Adventurers, dated 2nd of this month, and a paper enclosed [wanting], being the opinion of some learned in the law, declaring their sense concerning the Acts for satisfying the said Adventurers, together with the said Adventurers' dissent there against the late printed Declaration and Petition, as being reported to be dangerous to their interest in this nation, their Lordships have commanded me to acquaint you therewith, and that they cannot but observe some difference among the Adventurers, which they apprehend tends not to the settling their joint interest, or the much desired plantation in this nation, and are sorry to find their good intentions so mistaken, your practical knowledge in that business, in all probability, giving hopes of doing them and the public good service, which by this opposition is rendered fruitless. And albeit jealousies and misapprehensions are too common in business of this nature, and tend to your discouragement, their Lordships would have you, nevertheless, to leave no good means unattempted for composing what may be amiss, and yet to use your best endeavours in bringing so desirable a work to a peaceful and happy conclusion. And in case this nation, and the Adventurers and persons concerned in this affair shall not be so happy as at present to see this great affair settled by a full and free consent and agreement amongst themselves, his Excellency and their Lordships will

not be wanting, upon application made hereafter to them by persons concerned, to continue their real intentions and endeavours to settle such whose complaints shall come before them, in their just rights, according to law." 17 Nov. Letters of Lord Deputy and Council A/30. 28. ff. 339-340.

978. SAME TO EDWARD SMYTH.

"I have, by means of a friend of yours, the ten men and two women hereunder named ordered to be delivered to yourself or your assigns at the Indian Bridge or some other part in the Barbados. These are only to signify to you the same, and that it is expected from you, and so agreed with the merchant, that you make discharge and payment for their passage, your friend here having taken care to defray the charge of their delivery out of prison and conveyance on shipboard. 29 Nov.

"Lawrence Maddy, Margaret Carthy, Wm. Goffe, Daniel M'Owen O'Hagden, Adam Hollyday, Katherine Moore, James Kennedy, Henry Blacke, John Cullen, Thomas Synott, Walter Wall, John M'Daniel." *Ib.* f. 343.

979. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

"May it please your Highness, It having pleased God to take out of this world the Lord Chief Justice Pepys, a member of your Highness' Council here and Chief Justice of your Court of Upper Bench, we thought it our duty to give your Highness speedy signification thereof; and considering that by the death of this eminent and worthy instrument a total failure of justice in that Court will undoubtedly ensue, if not timely prevented, there being no other judge to sit there, we therefore humbly offer it to your Highness, that you will be pleased with all possible speed to commissionate some fit person to sit as judge in that Court.¹ . . . Further certifying your Highness that, though, with the late Commissions, one came in your Highness' name for Mr Justice Cook to be a puisne judge in that Court, yet he hath not (since that time) been in this nation, and that, when he had the like commission formerly,

¹ The person nominated was William Basill. See Thurloe to Henry Cromwell, 18 Jan. Thurloe, *State Papers*, vii, p. 594.

he was not satisfied to act therein. Lastly we acquaint your Highness that, by reason of Sir Matthew Thomlinson's being now in England, there are but three of your Highness' Council here to act upon the public affairs." 4 Jan. 1659. *Ib.* f. 349.

980. W. PETTY¹ TO DR BENJAMIN WORSLEY.

"Your letters dated the inst. have been read before the Lord Lieutenant and Council and your great care for clearing the country of Tories and other dangerous persons is very well accepted by them. . . ." 15 March. *Ib.* f. 360.

981. LORD DEPUTY AND COUNCIL TO THE LORD PROTECTOR.

"There having (as heretofore in the time of his late Highness, your dear father, deceased, so since your Highness' own access to the Government) been divers significations and warrants directed to us for the granting and disposal of houses and lands in this nation, to the particular persons therein named, and we, considering the freedom and faithfulness requisite and expected to accompany so great a trust, as by your Highness' great favour we are invested with in managing your affairs in this nation, do thence, in all humility, and in the sense of our duty take the boldness humbly to represent unto your Highness that, by the Act of Satisfaction, made in 1653 and confirmed by the last Parliament, all the forfeited lands in Ireland, except in the counties of Dublin, Cork, Kildare and Carlow, and the houses in cities and walled towns were disposed of to Adventurers and soldiers and for their collateral security; that all the forfeited lands yet undisposed of in the said County of Kildare have been since, by an Ordinance in 1654 (confirmed also by the late Parliament) made liable for satisfaction of encumbrances upon the lands of Adventurers and soldiers, and also divers baronies of forfeited lands in the other three reserved counties were, by the said Act of 1653, and by Acts of the late Parliament disposed of from the Commonwealth; that there are many deficiencies of lands to Adventurers, soldiers and to persons transplantable by virtue of Decrees, many public debts and engagements mentioned in the said Act for Satisfaction, besides what other public engagements lie upon the Commonwealth to be

¹ Signed W. C. C. C. No. 982 signed in full Wm. Petty, Cl. of the Council.

discharged thereout, which were contracted in the redeeming and reducing this poor land from the enemies thereof; that that part of the Revenue, formerly belonging to bishops, deans and chapters etc. consisteth either in impropriations or lands; and as to impropriations we take the humble boldness to mind your Highness of the want that will be in the maintenance and encouragement of an able godly ministry in this land,¹ for which purpose, as it hath been done in England, so we hope some consideration will in due time be had thereof in reference to the ministry of this nation.

“And as to the lands formerly belonging to bishops, the same, with the other lands aforementioned, are the most considerable part of the public Revenue, consisting in lands, yet remaining; that, upon consideration of our former account and explanation of the incomes and charges in this nation, computation was made in the establishment (made in his late Highness’ time) of the said standing Revenue then left, which if it shall suffer diminution by grants and dispositions, and yet the public charge continue the same, will speedily render your Highness’ affairs and services here in a very sad and low condition, and occasion a greater charge upon the people by public payments; that, in obedience to the former and later Commission sent us from your Highness, under the Great Seal of England, we have proceeded, with the assistance of persons of ability and integrity to lease a great part of the Revenue of the Commonwealth, reserving rents thereout, which rents, so reserved, with the reversions are relied upon as the Revenue of the Commonwealth and so charged in the public records of the Exchequer here. All which we submit etc.” 16 March. *Ib.* ff. 361-2.

982. W. PETTY TO THE COMMISSIONERS OF THE ADMIRALTY.

“On Saturday 5th inst. a picaroon from St Sebastian did much mischief upon these coasts, and escaping in the night from two of our frigates, did more mischief upon the north coast of England, and hath been this day seen again about the bar of Dublin. . . .” 16 March. *Ib.* f. 363.

¹ H. Cromwell was untiring in his efforts to establish an orderly and well-paid ministry. See particularly his letters to Broghill, 24 March; to Falconbridge, 28 April; to Fleetwood, 12 May 1658 in Thurloe, *State Papers*, vii. pp. 21, 101, 129.

983. LORD LIEUTENANT AND COUNCIL TO THE LORD PROTECTOR.

“ By your Highness’ letter of 13th December last we perceive it is your Highness’ pleasure that lands lately belonging to the bishops and deans and chapters in this nation (and now in your Highness’ dispose) of the yearly value of £500 should be let unto William Lord Gough¹ for 500 years. We do in order thereto humbly present your Highness with the enclosed particular [wanting] and, if your Highness shall think fit to complete the said grant, we humbly propose (both for the considerations expressed in our letter to your Highness dated 16th March last and the present exigencies of your Highness’ Revenue here) that the remainder may be supplied out of something that shall be discovered to belong unto your Highness in this nation, being hitherto concealed, and that is not at present under charge.” 13 April. *Ib.* f. 365.

984. “ Whereas Dr Abraham Yarner hath, by his humble petition unto this Board, prayed that, for the reasons therein set forth, he may be permitted to keep and continue upon his lands in the County of Wicklow such Irish servants and others as now are upon the same and who by the late General Order of this Board are required to remove out of the said county and not to return to dwell therein, or within ten miles thereof without special licence ; and forasmuch as the said Dr Yarner hath, pursuant to the directions of this Board, by writing under his hand, dated the 8th inst., certified that the persons hereafter named, being Irish Papists, are his hired servants, and are not natives of the said County of Wicklow, it is thought fit and ordered that Henry Lynan, Patrick Baker, Tady Baker, Wm. Oge, Cornelius Doyle, Tirlagh Rely, Bryan Doyle, Dermot Mahoon, Patrick Connell, Donagh Couran, Patrick Clary, William Doyle, David Wilkin, Morgan Wade and John Naninon, Papists, together with John Wild and Tady Neale, none of which are natives of that county, be and are hereby licensed and permitted to be and continue in the service of the said Dr Yarner in the said County of Wicklow, according to the several

¹ This was William Goffe the regicide. He supported the proposal to make Cromwell king, and was one of his House of Lords. At the Restoration he escaped to America with Lt.-Gen. Whalley, where he managed to elude all efforts to catch him, dying in 1679. See Life in *Dict. Natl. Biog.*

services they are now by him respectively employed in, he, the said Dr, using his best endeavours that the said servants do frequent the public place of God's worship, be conformable to the English in their habits, and that their children be instructed in the English tongue, and that the places of such servants' abode be as near the place of the petitioner's own farm or dwelling house as conveniently may be ; and also taking care that the said servants nor any of them shall not, during their dependence upon him, depart from the lands in his own occupation in the said county above the space of five miles, without a ticket expressing the place they go unto, the petitioner likewise giving security in bond of £40 . . ." 13 April. Reference of Petitions A/15. ff. 116-17.

985. T. HERBERT TO DR CLARGES.

" The officers of the customs in this port have lately seized upon many dangerous Popish books, intended (as is justly supposed) to be spread abroad into the several parts of this nation for the further seducing and confirming of the Irish in their obstinate and superstitious principles. . . ." 27 April. Letters of Lord Deputy and Council A/30. 28. f. 374.

986. SAME TO THE MAYOR OF GALWAY.

" Agreeable to your desire I presented your letter of 6th inst. to his Excellency and their Lordships of the Council, who to your query concerning Popish wives and servants relating to Protestants, refer you to your Order given in that behalf, which you are to peruse, it being intended that such as were professed Papists should be removed out of Galway, not being held fit that any such should have their residence in walled towns or places of that import ; and the like as to those ten Irish merchants, who desire some time to disengage themselves of their trade and goods upon their hands, they having had sufficient time given both for settling their private affairs and for their remove." 10 May. *Ib.* f. 375.

987. " Ordered by Parliament that it be referred to the members of this House that are of the Council of State to take the whole business touching the settling the lands in Ireland

on the Adventurers and soldiers into consideration and to prepare an Act thereupon and to present it to this House." 18 May. Letters from Parliament and Council of State A/29. 27. f. 3.

988. LORD LIEUTENANT AND COUNCIL TO LORD FLEETWOOD, AT WALLINGFORD HOUSE.

"Upon consideration of what might conduce to the preserving of this poor nation in the peace and quietness which through mercy it yet enjoys, we could not but, in order thereunto, judge it requisite to send Sir William Bury, one of our number, who will acquaint your Lordship with the present condition of affairs here and also give your Lordship to understand (amongst other things) how needful it is that timely care and provision be made for the proceedings of justice in this nation. . . ." 25 May. Letters of Lord Deputy and Council A/30. 28. f. 376.

989. "Resolved and declared by the Parliament that the administration of the government of Ireland shall be by Commissioners nominated and authorised by the Parliament, and not by any one person.

"Resolved that Col. Henry Cromwell be made acquainted with the resolutions of this House touching the government of Ireland and that he do forthwith repair to the Parliament to acquaint them with the state of affairs there." 7 June. Letters from Parliament and Council of State A/29. 27. f. 5.

990. SPEAKER LENTHAL TO WILLIAM STEELE AND MILES CORBETT IN IRELAND.

The Parliament, having judged it expedient for the service of the Commonwealth to send for Col. Henry Cromwell to come into England to give them an account of the present condition of affairs in Ireland, have thought fit to commit the administration of affairs there to your especial care until the arrival of one or more of the Commissioners named for that affair from England. 14 June. *Ib.* f. 6.

991. "In pursuance of the trust in us¹ reposed by authority

¹ William Steele and Miles Corbett.

of Parliament for the administration of the government and affairs in Ireland, and for the doing and executing all things as shall be requisite to be done for the safety and advantage of the Commonwealth, we do hereby order Sir H. Waller, Major-General of the foot in Ireland, that he do forthwith draw into the castle of Dublin Col. Hewson's company of foot and such other forces as he shall judge fit for the security of the said place, the magazine and stores there, and for so doing this shall be his warrant." 21 June. Orders A/17. 17. f. 4.

992. Ordered that Sir H. Waller do forthwith give orders that all such troops and companies as have been removed since 2nd April last be returned unto their respective quarters from whence they were ordered to march. 21 June. *Ib.* f. 4.

993. Ordered that Major Henry Jones do forthwith remove his company of foot from their present foot-quarters into the castle of Dublin for the better security thereof, and to continue there until further order. 22 June. *Ib.* f. 2.

994. Ordered that all such halberdiers, as lately guarded the castle of Dublin, do forthwith repair to the several troops of dragoons with which they formerly served to attend their duty. 22 June. *Ib.* f. 2.

995. Ordered that licence be given to several persons to attend the Lord Henry Cromwell to England. 22 June. *Ib.* f. 2.

996. Ordered that the arms which are set up in the Council Chamber, Courts of Justice and the Inns, Dublin, be rectified as when the government was in the Commonwealth, and that the Secretary attending this Board give order to the principal Herald-at-Arms accordingly. 6 July. *Ib.* f. 11.

997. An Act ¹ appointing Col. John Jones, Wm. Steele, Robt. Goodwin, Col. Math. Thomlinson and Miles Corbett Commissioners of the Parliament for the Affairs of Ireland, with authority to assess taxes levied by Parliament, and imprison dangerous

¹ Firth & Rait, *Acts and Ordinances*, ii, p. 1298.

persons ; and enacting that the laws and Acts of Parliament in force in England for the punishment of treasons, Popish priests, Jesuits, delinquents, pluralists and scandalous ministers, felony, drunkenness, adultery, incest, fornication, profanation of the Lord's Day, blasphemy, perjury, profane swearing and cursing, the abolition of the Hierarchy and the Service Book, an Act for abolishing the kingly office in England, Ireland and the dominions thereunto belonging etc. be put in execution there. 7 July. Letters from Parliament and Council of State A/29. 27. ff. 7-8.

998. "For the better preserving of the public peace of the nation it is thought fit and ordered that Sir H. Waller, Major-General of foot, do give order for the speedy quartering the Lord Fleetwood's, Capt. Dean's, Capt. Lisle's¹ and Capt. Walley's troops of horse in such parts of the County of Monaghan and parts thereabouts as he shall judge most convenient for the preservation of the public peace, and that they be required to have a vigilant eye upon the designs and new motions of the enemy's party, and (if there appear cause) to apprehend and secure such as they shall find to be acting or contriving against the peace and safety of the nation, and to certify their proceedings from time to time." 11 July. Orders A/17. 17. f. 8.

999. Ordered that Sir Robt. Meredith, John Santhy, Robt. Gorges,² Edward Roberts, Jas. Standish, John Bridges and Jas. Stopford³ be desired to meet in the Exchequer Chamber over the Office of the Receipt, who, or any three of them, are to consider of the several branches of the public Revenue,

¹ Capt. Nicholas Lisle, a '49 officer, served as captain of a troop of horse in Col. Chidley Coote's regiment: he appears to have been a relation of John Lisle, the regicide; but he declared for the Restoration and dispossessed Desbrow of Drogheda.

² Dr Robert Gorges of Kilbrew, co. Meath, M.P. for Bandon in 1661, married Jane, daughter of Sir Arthur Loftus in 1643. He was the father of Lt.-General Richard Gorges.

³ Capt. James Stopford acquired large estates in Dublin and the counties of Meath, Westmeath, Wexford, Carlow, Kilkenny and Kerry, partly by purchase, partly in consideration of his service under the Commonwealth. He established himself at Tara-hill; and was the ancestor of the Earls of Courtown. The following passage from a letter from Sir Allen Brodrick to Secretary Bennet is instructive. "There are two fellows here, Capt. James Stopford and Capt. Shaw, made vastly rich by being receivers of rents for lands set out to soldiers in 1655, before the lands were particularly distributed, of which they never made a perfect account." *Cal. State Papers, Irel.*, 1662, p. 632.

with the arrears due thereupon, and what obstructions are in speedy payment thereof, and of the best and speediest ways and means for bringing in the same; and they, the said persons, are hereby empowered to send for any persons, papers, or records, that may give them information in the premisses and to report their proceedings and opinion to the Board with all convenient speed. 11 July. *Ib.* f. 9.

1000. “Ordered that Capt. Thomlins, Comptroller of the Train and Capt. Hanway (calling to their assistance Mr Beckett and Mr Mills) do forthwith take a view of the gates which give entrance into the castle of Dublin, as also such houses of office, sally-ports, and other outlets and places as are now open and have of late times been passed through and to certify unto the Board what gates they find needful to be repaired and what places to be made up, for the necessary security of the said castle and garrison, together with an estimate of the charge thereof.” 11 July. *Ib.* f. 10.

1001. Ordered that the eleven soldiers returned from duty in Jamaica be added to the muster-roll of Col. Hewson’s company. 15 July. *Ib.* f. 12.

1002. “Ordered that the Commissioners appointed to let the tithes and glebes in the King’s County for this year do proceed to the letting thereof for the best advantage of the Commonwealth; and in case of any claims or obstructions by such as pretend a legal title or interest thereto by presentation of some patrons, they are to proceed to the letting and disposing thereof as aforesaid, notwithstanding such pretences, until their titles be made to appear by due course of law, or otherwise approved of by this Board; and in case of any other difficulties appearing before them they are to observe their Instructions.” 18 July. *Ib.* f. 13.

1003. ORDER TO CAPT. ABEL WARREN AT KILKENNY.

“Whereas John Hodges of Parkesgrove in the County of Kilkenny, gentleman is suspected to have been active in a late dangerous design against the Commonwealth and present Government, these are therefore strictly to require you forth-

with, after receipt hereof, to apprehend the body of the said John Hodges and you are likewise to repair unto his dwelling-house and carefully examine and search for such letters and other papers as are there or elsewhere in his custody, and having sealed up such of them as you may conceive material and fit for the knowledge of this Board you are to send the said papers as also the said Hodges under safe custody unto us to answer what shall be objected against him. . . ." 19 July. *Ib.* f. 15.

1004. Ordered that the Act of Indemnity¹ be forthwith published by the sheriffs. 25 July. *Ib.* f. 14.

1005. Whereas J. Hodges of Parkesgrove in County Kilkenny gent. hath been lately apprehended and sent prisoner hither pursuant to a former Order of this Board it is ordered that James Mortimer, sergeant-at-arms, attending this Board do forthwith take the said J. Hodges into safe custody, so that he be forthcoming to answer such matters as shall be objected against him. 26 July. *Ib.* f. 15.

1006. Ordered that it be referred to Robt. Fenwick and Wm. Warren Esqs. and the Justices of the Peace in the County of Down to inquire, by all due ways and means, into the lives and conversations of Francis Reddington, minister at Upper Iveagh and Mr Dedgery Holman, minister of Magheralin in the said County of Down. 27 July. *Ib.* f. 14.

1007. B. WHITELOCK (PRESIDENT OF THE COUNCIL) TO LT.-GENERAL LUDLOW AND THE COMMISSIONERS.

Desire them in the name of the Council to allow 1000 foot and 500 horse to be transported into England for fear of the common enemy, who are endeavouring the engaging the Commonwealth in blood and confusion. 30 July. Letters of Parliament and Council of State A/29. 27. ff. 12-13.

1008. Ordered that John Vernon² Esq. be appointed agent for Ireland with the Parliament. 2 Aug. Orders A/17. 17. f. 25.

¹ Passed 12th July 1659. See Firth & Rait, *Acts and Ordinances*, ii, p. 1299.

² Sometime Chief Clerk and Register to the Committee of the army, in which office he was succeeded by Capt. Richard Deane.

1009. Ordered that James Standish do examine the muster-rolls and return an exact account of the strength of the army.
4 Aug. *Ib.* f. 18.

1010. Warrant to Captain James Stopford to arrest Wm. Warden of Burntchurch in County Kilkenny, and also Nicholas Purdon on a similar charge to that preferred against J. Hodges.
5 Aug. *Ib.* 15.

1011. Ordered that Capt. Joseph Glover set sail with the frigate under his command for Holyhead, with all possible speed, to gain what intelligence he can concerning the state of public affairs in England and hasten back to this port for further orders.
5 Aug. *Ib.* f. 18.

1012. Order for the apprehension of the Lord of Ards. 5 Aug.
Ib. f. 25.

1013. "Whereas it is credibly informed that the common enemy are in arms in England, endeavouring to disturb the public peace of this Commonwealth, and forasmuch as there is present use for such ships and other vessels as are now riding in and near this bay of Dublin for the special service of the State, it is therefore thought fit and ordered that an embargo or restraint be for the space of seven days from the date hereof put upon all ships and vessels as aforesaid, and that none of them be permitted to set sail upon any pretence whatsoever without permission from us. . . ." 6 Aug. *Ib.* f. 17.

1014. Ordered that all pikes and other arms lent out to the militia of Dublin be returned forthwith to the stores. 6 Aug.
Ib. f. 17.

1015. Upon serious consideration had of the state of affairs in England it is ordered (by and with the advice of the General Council of Officers) that a company of foot of 100 men, besides officers, be forthwith sent to Beaumaris in the county of Anglesea for the strengthening of the garrison there, and that the said company be under the command of Col. John Jones, Governor of the said garrison. 6 Aug. *Ib.* f. 18.

1016. Ordered that Capt. Philpott do transport the said company. 6 Aug. *Ib.* f. 18.

1017. "It being credibly informed that the common enemy are at this present up in arms in England, endeavouring to disturb the public peace of this Commonwealth, his Excellency the Lieutenant-General is hereby desired to give speedy and effectual order for the apprehending the bodies of the Lord of Clanricarde, the Earl of Westmeath, Lord Bermingham,¹ Sir Richard Barnewall, Sir Thomas Esmonde,² Sir Richard Blake, Col. John Kelly,³ Lt.-Col. Barnewall, Major Neale,⁴—Bellew,⁵ late Lt.-Gen. of the Ordinance,—Fitzgerald,⁶ son to Sir Luke Fitzgerald, Christopher Fitzgerald, David Power,⁷ James Talbot,⁸ Lawrence Dowdall, Henry Magawley and also such other principal and leading men within the County of Galway, as shall be conceived active or dangerous persons, and for securing them under safe custody within such garrisons as may be found meet, and that the names of the persons so apprehended and secured be certified to the said Lt.-General or ourselves for further directions." Also for the apprehension of "Fegheraugh O'Flynn, Sir Henry Talbot,⁹ Sir Thos.

¹ Francis, 19th Lord Athenry, was excepted from pardon for life and estate, but his case was referred to the Commissioners of Revenue at Galway in 1653, and he was allowed to remain unmolested. He did not recover his property at the Restoration but his sons were provided for, and he died in 1677.

² Sir Thos. Esmonde was the son of Sir Laurence, Lord Esmonde of Limerick in the county of Wicklow. He was declared an innocent in the Court of Claims, but left to the law to recover his title.

³ Col. John Kelly of Corrabeg received a warm certificate of loyalty from the Duke of Ormond and was ordered to be instantly restored to his estate.

⁴ The estate of Major Henry O'Neill had passed into the hands of Sir John Clotworthy; but at the Restoration Clotworthy was ordered to surrender it and seek a reprisal elsewhere.

⁵ Major Michael Bellew of Verdonstown, co. Louth, served at the siege of Galway; on 25 Feb. 1661 he obtained an order for the restoration to him of his estate.

⁶ George Fitzgerald, son of Sir Luke Fitzgerald of Teeroghan, received an order in Nov. 1660 for the restoration of so much of his lands as had not been disposed of to the soldiers and Adventurers, but the result was not satisfactory.

⁷ David Power of Shanagarry, co. Cork, seems to have died before the Restoration; his son Edmond received an order for restoration and was declared an innocent, but apparently did not recover.

⁸ See the case of James Talbot of Ballyconnell, co. Cavan, in *Cal. State Papers, Irel.*, 1661, pp. 483-484.

⁹ According to his petition Sir H. Talbot served the royal cause in England till June 1646 and then in Ireland till Ormond's departure. His property was taken from him and in 1656 he was forced to transplant to Connaught. On 9 March 1661 he obtained an order for restoration to all his lands as if particularly named in the King's declaration.

Nugent,¹ Capt. Tibbot Dillon,² Mr Garret Dillon, John Dillon's son in County Roscommon, Geoffrey Brown, Col. O'Cane,³ Major Browne⁴ of the Neale, Con Baccagh O'Neill, Henry O'Neill's sons of the Fewes in County Mayo, Callaghan O'Callaghan, Charles O'Callaghan in County Clare, Owen M'Dermot and his son Farrell O'Hara in County Sligo, Conly Geoghegan⁵ and Col. M'Daniell in County Leitrim." 6 Aug. *Ib.* f. 19.

1018. Consideration being had of the humble petition of several well-affected persons, inhabitants in the city of Dublin, in behalf of themselves and others, desiring licence to meet weekly at a military ground, which they propose to erect in this city at their own charge, forasmuch as the said proposition evidences a cheerful disposition both to the public welfare of the nation and likewise to the particular security of this place, the petitioners are to receive all due countenance and encouragement. 8 Aug. *Ib.* f. 20.

1019. "Whereas James Byrne hath by some of the Justices of the Peace been lately apprehended in the County of Wicklow, being a vagrant person and returned thither without licence out of the County of Galway, to which place he was divers years since transplanted, and, as he alleges, came to look after some gratuities from some of that county, who were formerly his tenants and acquaintances, and now poor labouring

¹ Sir Thos. Nugent petitioned for restoration on the ground of his ill-treatment and expulsion by Cromwell. He had refused compensation for the lands he was deprived of and lived on a small estate of his own in Connaught. He was ordered, 23 Dec. 1660, to be restored as an innocent Papist.

² This Tibbot or Theobald Dillon was, I think, the second son of Sir Lucas Dillon; he owned the property of Lough Glyn in co. Roscommon. John Dillon of Kilmore in the same county was his younger brother.

³ The old Irish received little favour at the Restoration. There is a letter of this Col. Daniel O'Cane or Cahan extant (*Cal. State Papers, Irel.*, 1661, p. 407), dated 24 June 1661, to Owen O'Rourke of Leitrim suggesting a combined effort for the recovery of their estates. He is described as "a person of no estate or fortune in the kingdom, but a bold and daring man." *Ib.* p. 406.

⁴ Major John Browne of the Neale, co. Mayo, the descendant of an Elizabethan planter and ancestor of Lord Kilmaine was restored under the King's letter of 27 June 1661 (*ib.* 366), ordering that the heirs of Sir L. Dillon, Sir Valentine Blake, Sir Robt. Talbot, Sir Richard Blake, Dr Geoffrey Fennel and the Brownes of the Neale should be restored to their estates notwithstanding their having taken lands in Connaught.

⁵ Perhaps to be identified with Conly MacGeoghegan, son of Hugh Boy MacGeoghegan of Donore, for whom see D'Alton, *King James's Army List*, p. 270.

people there ; whereas likewise it appears by his own confession that he was a Lt.-colonel under Hugh M'Phelim Byrne, Lt.-General for the rebels, and being vehemently suspected to have come into those parts upon some design to disturb the public peace, and to promote the designs of the common enemy, it is ordered that the Justices of the Peace for the County of Dublin, or any of them do give speedy warrant for the committal of the said Byrne unto the county gaol at Kilmainham." 8 Aug. *Ib.* f. 22.

1020. B. WHITELOCK TO THE COMMISSIONERS.

Informs them that Chester being in the hands of the enemy the communication with Ireland is hindered. A report that certain Irishmen have left Spain for Ireland, Scotland and Flanders : advises caution. 9 Aug. Letters of Parliament and Council of State A/29. 27. ff. 13-15.

1021. Ordered that Sir H. Waller see that the arms of the party for England be fixed. 11 Aug. Orders A/17. 17. f. 27.

1022. Ordered that the guns and fort at Drogheda be viewed by Lieut. Molyneux.¹ 12 Aug. *Ib.* f. 28.

1023. Ordered that Dr Winter take care for the supply of Mr Thomas Jenner's place as minister of the Gospel at Drogheda. 12 Aug. *Ib.* f. 28.

1024. Ordered that the militia of Dublin be not commanded upon military service other than for the defence of the city, unless they desire it themselves. 13 Aug. *Ib.* f. 28.

1025. Ordered that the embargo be taken off all ships in the port of Dublin except such as are engaged by the State. 16 Aug. *Ib.* f. 31.

1026. INSTRUCTIONS TO THE GOVERNORS OF LIMERICK AND ATHLONE TOUCHING LICENCES TO TRANSPLANTED PERSONS.

"You are carefully to observe the Declaration herewith

¹ Probably Samuel Molyneux, master-gunner, father of William Molyneux, Locke's friend and the author of "The Case of Ireland's being bound by Acts of Parliament in England stated." He died in 1693.

sent you touching the removal of such persons, and in what else concerns you as to granting licences, you are in the licences given them particularly to set down their names, ages, colour of hair and other marks of distinction, conditions, places of abode, and to what place and upon what occasions any such person desires licence.

“ You are to be very careful of not affording any longer time for their absence out of Connaught or Clare than you shall find their occasions, upon examination, necessarily to require ; and in case it be about suits or petitions, to expect a certificate at their return, from the judge, justice, register, or other person fit to give the same, touching the truth thereof. That before they have any licence from you, you are not only carefully to examine them and their occasions as to the particulars aforesaid, but also to take their hands subscribed thereunto in the presence of witnesses.

“ If any person shall fail in returning by, or within the time limited by you for the same, or shall otherwise be known to you to use any deceitful practice in gaining a licence, you are forthwith to use all diligent ways and means for apprehending such person and to send up the names of all such from time to time unto us to the end such proceedings may be had therein as shall be just.” 19 Aug. *Ib.* f. 37.

1027. “ The Commissioners being informed that Capt. Richard Edmonds ¹ is engaged with the common enemy and in arms at or about Chester against the Parliament, [it is] ordered that Col. Alex. Brayfield do forthwith take care for the speedy securing of such arms and horses as do belong to the said Edmonds and are now fit for public service.” 22 Aug. *Ib.* f. 36.

1028. “ For the better securing of the town and fort of Galway and the parts thereabouts, and for prevention of the designs of ill-affected and dangerous persons both at home and abroad, which in this time may be contrived and directed upon places of such importance, it is thought fit and hereby ordered that Col. Thos. Sadler, Governor of the said town of Galway, do forthwith take care, and give effectual order for the speedy

¹ Capt. Richard Edmonds was high sheriff of the counties of Longford and Westmeath. See p. 633.

removing out of the said town and liberties thereof, all Irish Papists now inhabiting or residing there, unless they be disabled to remove through extreme old age or sickness, or bedrid through other bodily infirmities, in which case the said Governor is hereby authorised to dispense with them until further order, and to certify their names and age unto the said Commissioners. The said Governor is also to take care that no Irish, removed as aforesaid, be permitted to return to reside or dwell in the said town or liberties, without special licence first had and obtained from the said Commissioners or the Commander-in-Chief of the forces in Ireland." 22 Aug. *Ib.* f. 37.

1029. Ordered that Mr Heritage Badcock, minister of the Gospel, be taken into custody to answer charges preferred against him. 22 Aug. *Ib.* f. 38.

1030. Ordered that Lt.-Col. Bryan Smith, Governor of Carrickfergus do cause the body of Dr Jeremiah Taylor¹ to be sent under safe custody to Dublin to answer such things as shall be objected against him in behalf of the Commonwealth. 22 Aug. *Ib.* f. 38.

1031. Order for the release of Daniel Jenifer gent. of London, a suspected spy, on surety given by himself and Samuel Turner of Dublin to appear within 24 hours after notice left at the house of John Wallis, merchant in Dublin, to answer the charges preferred against him. 22 Aug. *Ib.* f. 39.

1032. It being informed that one James Dillon, a transplantable person, is lately returned out of Connaught, to which place he was transplanted, and hath uttered many threatening words against divers persons living peaceably in the County of Longford, contrary to the laws of transplantation, and to the great disturbance of the public peace, it is ordered that Col. Alex. Brayfield, Wm. Hancock, and Geo. Meverell be and are hereby empowered and required to examine the matter of fact, and, finding the same to be true, to cause the said Dillon to be secured

¹ Dr Jeremiah or Jeremy Taylor, the famous divine, came to Ireland in June 1658, at the invitation of Lord Conway, who provided him with a residence near his own mansion of Portmore. The main charge preferred against him was the use of the cross in baptism. See Life in *Dict. Natl. Biog.*

in the gaol of the county where he shall be apprehended.
23 Aug. *Ib.* f. 39.

1033. Ordered that secret search be made for priests, Jesuits and other persons who have acted in the late Rebellion in Ireland against the Parliament of England, and that all the said persons found in the city of Dublin or suburbs thereof be secured and kept in safe custody, and that all horses and furniture of war belonging to them be seized and an account made thereof.
23 Aug. *Ib.* f. 41.

1034. Ordered that Edmond Bradshaw and Toby Bonnell be apprehended for uttering seditious words and spreading false reports. 23 Aug. *Ib.* f. 42.

1035. Ordered that Mr Jas. Standish, Receiver-General, take care for the provisioning of garrisons. 24 Aug. *Ib.* f. 43.

1036. Ordered that the Mayor of Dublin take measures for clearing the city and liberties of all vagabonds and beggars, by sending them to the house of correction, and such as are loiterers and able to work to the places of their birth or last abodes. Also to take diligent care to put in execution the laws for the observance of the Lord's Day, and particularly that neither on the Lord's Day nor lecture days any persons be permitted to walk idly up and down in or near Christ Church to the dishonour of God and the great disturbance of the people assembled.
26 Aug. *Ib.* f. 44.

1037. Ordered that Wednesday, 31st August, be kept as a day of solemn prayer and fasting. 29 Aug. *Ib.* f. 45.

1038. Whereas information is given that some dangerous words were lately uttered by some Irish persons, expressing some design in hand to the massacring the English inhabitants, that live in the County of Wicklow, it is ordered that it be referred to Robt. Hasell¹ and Roger Southeby, Justices of the Peace in the said county to inquire into the truth thereof, by examining Thomas Webster, an inhabitant of the said

¹ A Dublin merchant.

county, and also [blank] an Irishman, who is at present a servant to Mr Williams, now living near unto Powerscourt in the said county, as also by causing the persons informed against to be apprehended and examined and secured, if there be cause, together with such others, as upon the said examinations shall appear to be accessaries or otherwise engaged in any such design against the State. 29 Aug. *Ib.* f. 46.

1039. It having pleased God to give the Parliament's forces, commanded by the Lord Lambert,¹ a late victory over the common enemy, and it being probable that divers of them, the better to escape the hand of justice, may ship themselves into this and other nations, it is thought fit and ordered that the Governor of Dublin or other chief officers do strictly examine all passengers arriving in that port and secure such as they suspect to be dangerous. The same order to other sea-ports. 29 Aug. *Ib.* f. 46.

1040. At the Council of State Whitehall ordered that Sir James Harrington, Col. Thompson, Col. Morley, Mr Scot, Lord Wariston, Lord Fleetwood, Sir H. Vane, Lord Lambert, Col. Walton, Major Salway, Mr Barners, Sir A. Haselrig and Major-Gen. Desborow or any three of them be a Committee for Irish and Scotch affairs, with power to proceed therein from time to time and to send for persons and papers as there shall be occasion. 29 Aug. Letters of Parliament and Council of State A/29. 27. f. 9.

1041. Upon consideration had of a report made from a Committee of officers, signed by Sir H. Waller and dated 29th inst., touching deficient arms in the several foot regiments, as also of an abstract of unserviceable arms to be returned into the stores, it is ordered that Capt. Edward Thomlins, Comptroller of the Train and Mr Thomas Dawson, Deputy Commissary of Musters do forthwith prepare warrants to be given to the several companies to be supplied out of the next stores, that so many arms may be delivered to the officers of the said companies as shall be found wanting therein, but that no

¹ Over Sir George Booth at Winwick Bridge near Northwich, Cheshire, on 19 Aug.

bandoleers be given out. 30 Aug. General Orders A/17. 17. f. 48.

1042. Ordered that consideration be had of an allowance for the wives of the soldiers lately gone to England. 2 Sept. *Ib.* 49.

1043. Ordered that the late order for sending troops into England be countermanded. 3 Sept. Letters from Parliament and Council A/29. 27. f. 15.

1044. SIR H. VANE (PRESIDENT OF THE COUNCIL) TO THE COMMISSIONERS.

Informs them of the defeat of the enemy and the recapture of Chester. 3 Sept. *Ib.* f. 16.

1045. "At the Committee of the Council for Irish and Scotch affairs, upon reading a letter from the Commissioners of Parliament for the affairs of Ireland, dated 17th August last, and directed to the Council, ordered that it be represented to the Council as the opinion of this Committee that, according to the desire of the said Commissioners of Parliament, 500 barrels of powder be speedily sent to Ireland out of the stores at Portsmouth or such other convenient place as the Council shall think fit; that the officers of Ireland, who are now in England, and whose regiments, troops, or companies are in Ireland may be required to attend their duty in Ireland, except such as are by order appointed to attend the public service in England or elsewhere; that the Council will be pleased to give order for a report to be made to the Parliament of the dangerous condition of Ireland, by reason of several discontented officers in Ireland lately put out of command, and disaffected English and Scottish there, especially in Ulster, and of the multitude of Irish, and in respect of invasions from Spain upon any opportunity; and (if the Council think fit) to move the Parliament that they will be pleased to enable their Commissioners with power to arm such well-affected persons in Ireland in the nature of a militia, and to fill up the troops and companies of horse and foot of the standing army there in such numbers, for preservation of the

peace and security of the nation as they shall think fit ; and that the Parliament will be pleased to approve of such commissions as have been given and forces raised by the said Commissioners in Dublin or elsewhere in Ireland for the use aforesaid.

“ That in regard information is given of an intent to transport some Irish and other foreign forces from St Sebastian, or other part of Spain, or foreign parts to Ireland to be landed there in order to the disturbance of the peace of that nation, and, because of the many pirates which do, at this time especially, infest that coast to the great prejudice of the trade there, that therefore the Council will please to refer it to the Commissioners of the Admiralty and Navy to give such order for a sufficient number of ships of force to attend the guard of the Irish coast as shall be requisite ; that the Council will be pleased to order a report to be made to the Parliament of what is set forth in their Commissioners’ letter from Ireland of 17th August last concerning the great detriment that accrues both to the public Revenue and to every man’s private concernments for want of Courts of Justice there, by reason whereof no suit nor action can be had in any case where the Commonwealth or any private person is concerned, nor any persons now in gaol for murder or other felonies capable of trial, nor any justices of peace nor sheriffs capable to act upon any other foundation than by virtue of the late Act for continuing sheriffs and justices, and that therefore the Parliament will be pleased to make provision for the speedy erecting of Courts of Justice in Ireland, and give order that a Great Seal and seals for the said respective Courts may be made, and that the seals formerly used in that behalf may be broken, and that the Parliament will give order for a seal to be made and used for such public affairs as require a seal and are to be transacted immediately by the Commissioners of Parliament in Ireland.” 5 Sept. *Ib.* ff. 17-19.

1046. “ For the better security and safety of the public peace of the County of Wicklow, it is thought fit and necessary that no Irish inhabitant, or Popish Recusant within that county be permitted or suffered to have any arms, ammunition or habiliments of war.” Order accordingly. 5 Sept. Orders A/17. 17. f. 52.

1047. Ordered that Stephen Sedgewick and Hugh Davis who were engaged with the rebels at Chester against the Commonwealth, and are lately landed, be examined. 7 Sept. *Ib.* f. 51.

1048. "Whereas divers well-affected English Protestants have lately settled themselves in the town of Castledermot in the County of Kildare, and have been at great charge, and for their security are necessitated to keep watch and ward every night, the country thereabouts having for a long time been a receptacle of thieves and Tories, and the towns and parts adjacent peopled with Irish Papists, whose former cruelties and animosities to the English give them just cause of fear, besides other annoyance that they suffer by such neighbourhood, it is therefore thought fit and ordered that it be referred to Col. Pretty, Major Bennett,¹ Major Davis² and Capt. Robt. Preston, who, or any two of them, are to consider of the premisses, and, by such ways and means as they shall think best, to inquire who and what number of Irish Papists do reside within and near Castledermot aforesaid, and whose tenants they are, and to what distance it may be held fit to remove the said Irish Papists in order to the better security of the said place and for the due encouragement of the plantation and to certify the same accordingly unto this Board." 7 Sept. *Ib.* f. 55.

1049. "Whereas it is informed that divers soldiers of the army, especially in the Province of Connaught and County of Clare have married Irish Papists, contrary to sundry Declarations made in that behalf, [it is] ordered that his Excellency,³ the Lt.-General, Commander-in-Chief of the forces in Ireland, be and is hereby desired to give speedy order for a strict inquiry to be made after such of the army, being either English, Scots, or natives of Ireland within the said Province of Connaught and County of Clare, as have, since their being members of the army, taken Irish Papists to their wives, as also to make the like inquiry after such soldiers, as having formerly been Popish Recusants (notwithstanding that they pretend to be Protestants) may

¹ Recently appointed Major in Col. Markham's regiment of foot.

² Thomas Davis, nominated by the Commissioners as Major in Col. Nelson's regiment of foot. All four officers were stout republicans and supporters of Ludlow.

³ Ludlow; appointed Lt.-General, 4 July.

justly be suspected to continue Papists. His Excellency is further desired to take such course as he shall think fit for making the like inquiry or inspection into the rest of the army (if any such there be) in the other three provinces, to the end that upon due knowledge and representation thereof, such proceedings may be had therein as shall be agreeable to the rules and discipline of the army." 9 Sept. *Ib.* f. 52.

1050. "Whereas it is the practice of the Irish Papists in divers parts of this land yearly, and in a superstitious manner, by frequenting wells, and otherwise to observe days in memorial of the patrons or pretended tutelary saints of several parishes and places, spending the day commonly in rioting, drunkenness and other debauchery to the dishonour of God and just offence of such as are godly, it is therefore thought fit and ordered that it be recommended to the Justices of the Peace in the respective counties to inform themselves concerning the same, and to take such course for the suppressing thereof as shall consist with the preservation of the public peace and otherwise be agreeable to justice." 13 Sept. *Ib.* f. 54.

1051. Ordered that the estate in Kerry of Edward Lord Herbert of Cherbury, who was engaged in the late rebellion against the Parliament¹ be sequestered. 13 Sept. *Ib.* f. 57.

1052. Ordered that permission be given to Lt. Francis Rowleston to treat with certain Tories, it being hoped that this favour will engage them to discover and endeavour a speedy reducement of such other Tories as are now abroad and disturbing the public peace. 15 Sept. *Ib.* ff. 57-8.

1053. Ordered that Col. Phaire take care of the State's woods in Muskerry and Cork, where damage has of late been done. 20 Sept. *Ib.* f. 60.

1054. Ordered that a Committee be appointed to inquire into the state of the woods belonging to the Commonwealth. 21 Sept. *Ib.* f. 61.

¹ Edward, third Lord Herbert of Cherbury; he was present with Sir Geo. Booth at Winwick Bridge, near Northwich.

1055. Ordered that Mr William Yarwell, Commissary of Stores at Limerick deliver 65 arms and bandoleers, and 60 pikes for the use of the volunteer company at Limerick. 23 Sept. *Ib.* f. 66.

1056. Ordered that the Corporation of Fethard, in County Tipperary, be suspended on account of the poverty of its inhabitants, the most part of which are Popish Recusants. 24 Sept. *Ib.* f. 63.

1057. Ordered that the sheriff of the County of Kilkenny take security of four priests for their departure. The like order to the sheriff of County Kerry concerning two priests. 30 Sept. *Ib.* 68.

1058. Order for the examination of certain persons uttering seditious words. 30 Sept. *Ib.* f. 69.

1059. Whereas the inhabitants of the town of Fethard, by their agents Messrs James Everard and Maurice Kearney, have this day made application to the Commissioners by their humble petition, and consideration being had thereof, and of the Articles¹ made at the rendition of the town to the Lord General Cromwell, and of what the said agents had to offer concerning the same, it is thought fit and ordered that the Order for suspending the Corporation be continued, it being nevertheless declared that it is the intent of the Commonwealth that the said Articles be in all respects made good, and due regard be had of the inhabitants of the said town concerned in the said Articles, that such of them, as are transplantable and exempted therefrom by the said Articles, be dispensed from transplantation. 11 Oct. *Ib.* f. 71.

1060. Order constituting M. Corbett, Col. J. Jones and Col. Matthew Thomlinson a Committee for the inspection of the several branches of the Revenue. 11 Oct. *Ib.* f. 81.

1061. Whereas for the better suppressing of the Tories, who abound in the counties of Carlow and Kilkenny, it hath been humbly offered, as the advice of a Council of Officers held in

¹ Articles of Capitulation, f. 35; printed in Murphy's *Cromwell in Ireland*, p. 256.

Dublin the 12th of this inst. October that Col. Henry Pretty and Major Joseph Deane, or either of them be authorised and empowered to furnish with arms and necessary ammunition such and so many persons as they shall think fit, not exceeding twenty in number, as they may confide in and judge fit to prosecute the finding and destroying of the Tories in either of the said counties; provided they do first take sufficient security that the said men, and every of them so to be employed, shall not act anything to the prejudice of the Commonwealth or to the disturbance of any the quiet people whom they shall meet, and that such power be in force but for three months, it is thought fit and ordered that the said Col. Pretty and Major Jos. Deane be empowered to act accordingly. 14 Oct. *Ib.* f. 73.

1062. A similar order for Lt.-Col. Nelson in regard to Tories in the King's and Queen's counties. 14 Oct. *Ib.* f. 74.

1063. Order for Col. John Jones to command the army in the absence (granted by Parliament) of Lieut.-General Ludlow in England. [17] Oct. *Ib.* f. 74.

1064. Whereas by an Order of Parliament dated 16th July 1659 it is declared that such commissioned officers of the army, as are already passed or shall pass the Parliament's approbation, and are absent in remote parts so that their commissions cannot be delivered to them in the usual way in the House, shall receive their commissions from the Commissioners for the Government of Ireland, on declaring or signing the Engagement appointed to be taken by the Act of Indemnity, the said Commissioners do hereby certify that commissions have accordingly been delivered at Dublin to the officers whose names are underwritten. 17 Oct. *Ib.* f. 75.

1065. OFFICERS TO WHOM THEIR COMMISSIONS WERE DELIVERED AND WHO SIGNED THE ENGAGEMENT.

Thomas Cooper, Col. of Horse; Edward Warren, Major to that regiment; Daniel Abbot, Col. of Dragoons; John Desborow, Major to that regiment; Nicholas Kempston, Major to Lt.-General Ludlow's regiment of Horse; John Godfrey,

Major to Col. Wm. Allen's regiment of Horse ; Francis Bolton, Major to Col. Pretty's regiment of Horse ; Elias Green, Major to Col. Sankey's regiment of Horse ; Joseph Dean, Major to Col. Wallis' regiment of Horse ; Solomon Richards, Lt.-Col. to Lt.-General Ludlow's regiment of Foot ; Wm. Rawlins, Major to that regiment ; Francis Wheeler, Lt.-Col. to Col. Phaire's regiment of Foot ; John Dennison, Major to that regiment ; Bryan Smith, Lt.-Col. to Col. Axtell's regiment of Foot ; John Barrett, Major to that regiment ; Symon Fynch, Lt.-Col. to Col. Lawrence's regiment of Foot ; Richard Tonson, Major to that regiment ; Henry Jones, Lt.-Col. to Col. Markham's regiment of Foot ; John Bennett, Major to that regiment ; William Walker, Lt.-Col. to Col. Sadleir's regiment of Foot ; Isaac Dobson, Major to that regiment ; Wm. Low, Major to Col. Brayfield's regiment of Foot ; Wm. Purefoy, Lt.-Col. to Col. Barrow ; Edward Thomlins, Comptroller of the Train ; Henry Porter, Provost-Marshal General. *Ib.* f. 75.

1066. Whereas the General Council of Officers, sitting at Whitehall have by an express sent several copies of their agreement,¹ and by their letters dated the 19th and 20th inst. signified their desires that the said papers should be sent to the several regiments and garrisons in Ireland, to be signed by as many as shall be free to subscribe the same, it is thought fit and ordered that it be recommended to Col. John Jones, Commander-in-Chief of the army and forces in Ireland, to communicate the said letters and papers unto such Field officers as are now in Dublin, and having consulted with them how the said business may be transacted according to the directions of the said letters, to give such directions accordingly therein, as may best advance the public service. 29 Oct. *Ib.* f. 80.

1067. Ordered that the Instructions from the late Lord Deputy and Council, dated 23rd July 1658, entituled "Additional Instructions to the Officers of the Customs concerning Wool," and the Order, dated 27th September following, made and agreed on in the presence of the Commissioners of the Customs and the Auditors-General, concerning wool and other prohibited

¹ The new petition.

goods be and are hereby declared to be in force until 1st March next. 1 Nov. *Ib.* f. 80.

1068. Order for Capt. Rich to search for and secure dangerous persons in Dublin and aboard ships in the port. 14 Nov. *Ib.* f. 85.

1069. Whereas it is informed that the Popish Recusants within the City of Limerick, and two miles thereof, have neglected to remove by the 20th October last, being the time limited by the late Proclamation, and taking into consideration of what extraordinary import that city and garrison is (the situation thereof being betwixt the County of Clare and the Province of Munster and serving as a defence and bulwark betwixt the transplanted and other Irish Papists and the Protestant planters in the other provinces) it is ordered that all dispensations for continuing any Irish Papist within the said city be revoked and made null and that no Irish Papist whatsoever be permitted to reside within the said city. 14 Nov. *Ib.* f. 88.

1070. Whereas many times the public packet-boats are through stress of weather, contrary winds, or other occasions forced to put in and land the packet at other ports and creeks remote from the harbour of Dublin, whereby and for want of power to press horses and guides upon such account, the packets are delayed and kept past the usual course and time, very much tending to the public prejudice, it is ordered that such horses and guides may be pressed on making satisfaction therefor according to the rates in force. 16 Nov. *Ib.* f. 87.

1071. Whereas by an Order of this Board, dated 16th inst., it was referred to Mr Justice Cook and Mr Fowles to peruse the books therewith sent, being one of each sort, lately imported and remaining in the Custom House, consigned to Samuel Claridge etc., and to certify whether they found any of them to be seditious or blasphemous, whereunto they do certify that they have perused about thirty sorts of those books, and do find therein an erroneous untoward spirit, denying any external reverence to magistrates, contemning and disgracing ministers as anti-christian and not ministers of Christ, but priests, hirelings and

dumb dogs, vilifying many civil professors, and expressing much bitterness against all manner of learning, maintaining perfection and freedom from sin in this life, as also many Popish and other erroneous tenets and opinions contrary to sound doctrine, it is ordered that the books be not dispersed but retained in custody. 30 Nov. *Ib.* f. 90.

1072. Order prohibiting the observance of superstitious Christmas holidays. 9 Dec. *Ib.* f. 92.

INDEX

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

A

- ABBOT, Col. Daniel, 57 *n.*, 91, 114, 128, 260, 282, 597, 600, 623, 624, 642, 714
- Abstract of monies received and paid for the service in Ireland, 638-645
- Acheson, Sir George, 633 *n.*
- Acts of Parliament to be officially transmitted, 664; English not to extend to Ireland unless stated, 518; for encouragement of navigation, 103; for relief of peaceable people in matters of religion, 203; for the attainer of rebels in Ireland, 275, 673, 687; for the settling of Ireland, 264, 268, 269, 273, 275, 281, 283-284, 292, 303, 355, 378-379, 421, 441, 466, 470, 488, 489, 501, 521, 533, 587, 604, 631, 648; for stating the accounts of the army, 285, 448, 494, 623; for satisfaction of soldiers and Adventurers, 290, 302, 336, 363, 380, 390, 404, 418, 419, 436-437, 441, 446, 451, 507, 511, 532, 563, 609, 656, 674, 676, 684, 692; for making provision for those infected with the plague, 344; for showing who shall be overseers for the poor, 344; for regulating the sale of beer, 351; for the speedy and effectual reducing of the rebels in Ireland, 471; for the speedy and effectual satisfying of Adventurers, 579, 612; of indemnity, 700, 714
- Adams, Thomas, 395, 397
- Adams, William, alderman of Coleraine, 177
- Adjutant-General. See Allen, William
- Admiralty, Commissioners of the (England), 693; to provide for the defence of Ireland, 585, 710. See also Navy, Committee of
- Admiralty, Court of to be established, 581
- Adventurers, the, 22; army proposals for, 120-121, 288, 290, 300, 302; act for satisfaction of, 380; estimate of lands due for satisfaction of, 381; division of baronies in the ten counties between soldiers and, 404-406; desire to be put in possession of their lands, 481; complaints of, 483; charged with neglecting their lands, 484; grievances of to be remedied, 487, 491, 505; as to the complaints of, 509-513; leases transferred to, 520, 580; differences among, 603; legal encumbrances on lands of, 655, 663; conduct of, 675; affairs of in a confused state, 681; good-will of Government towards, 684; Petty to arrange matters with, 690; committee for clearing claims of, 404, 446-447, 462, 469; to have lands assigned, 646; Petty to confer with, 680-681. See also under Acts of Parliament, Ordinances, Turner, Methuselah
- Advocate-General. See Carteret, Philip
- Agard, John, 416, 419, 420
- Aharahan (? Ahascragh), Col. John Kelly's castle, 173
- Akin, 524, 610
- Alland, Capt. Henry, 35 *n.*, 38, 42, 540, 633
- Allen, Francis, treasurer-at-war, 8 *n.*, 89 *n.*
- Allen, Col. William, Adjutant-General, 185, 197 *n.*, 202, 224, 228, 282, 296, 339, 340, 344, 346, 354, 451, 455, 490
- Alton, Edmund, 206
- Alured, Col. Mathew, 457 *n.*
- Ammunition, deficiency of, 53, 55, 61, 70, 71; on way, 81; supply of necessary, 117, 129; for Coote, 147; captured at Ross, 233, 234
- Andrews, Charles, 434
- Andrews, Thomas, treasurer-at-war, 8 *n.*
- Anglesey, 701
- Annandale, Earl of. See Murray, James
- Annesley, Arthur, 125, 486
- Antrim, 49; assessment of, 60, 131; Ulster Scots in, 361; gross survey of lands in, 384; division of between soldiers and Adventurers, 405-406, 484

- Antrim, Earl of. See MacDonnell
- Aran, Isles of, 135, 167; captured by Irish, 303, 305, 310; articles for surrender of, 311-312, 313; no Irish to reside in, 524, 610, 611, 616, 667
- Archdeacon, John, *alias* M'Ody, 575
- Archer, Nicholas, 126-127 *n.*
- Ardballan, 15
- Ardee Barony (co. Louth), 507-508. See also Atherdee
- Ards, Lord Montgomery of the. See Montgomery
- Arklow, 329
- Arkeny, fort of, 311-312
- Armagh, 12, 25, 60; garrisons to be planted in, 119; yields no contribution, 131, 140; gross survey of lands in, 384; division of between soldiers and Adventurers, 405; 484, 666; proposed Protestant plantation at, 681-682
- Armstrong, Sir Thomas, 67 *n.*
- Army, supplies for, 52, 53, 72, 74, 80, 113, 116; arrears of, 117, 118, 132; suffers from country disease, 133; to take the field, 134; recruits for, 149; provisions for, 247; reduction of, 291, 300; satisfaction for arrears of, 313; partial disbandment of, 364; further reduction of, 458; supplies for, 477, 494, 500; collateral security for, 507-508; petitions of, 529, 530; trustees of, 599, 600, 608; lands to be distributed to, 609; money wanted for, 627, 642-643, 645, 665; arrears due to, 668, 676-678; muster-roll of to be examined, 701. See also Soldiers. Officers of, Letter of, 113-114; meeting of at Kilkenny, 116; proposals of, 118-122; meeting of at Portumna, 133; meeting of at Kilkenny, 178, 181; meeting of at Clonmel, 236; meeting of at Kilkenny, 288; proposals of, 288-289, 291; council of at Dublin, 305; council of to consider soldiers' arrears, 350; proposals of for satisfying same, 365-368; rates of lands raised by a council of, 382 *n.*, 390; arrears of '49 to be stated, 473; cannot get debentures for service in England, 563; lands assigned for satisfying the '49, 579; to reconsider their resolves, 597; accept council's proposals, 600; arrears of the '49 deserve just consideration, 668; to return to their posts, 709; to take the Engage-
- Army—*continued*
ment, 714; invited to sign New Petition, 715
- Arnop, Lt.-Col. William, 378 *n.*, 451, 452, 454, 490
- Artagh, 135, 567
- Articles of Capitulation: Aran, 311-312; Ballileague, 143-144; Ballymote, 222; Ballyshannon, 212-213; Clanricarde, 253-254; Clare Castle, 93; Clare County, 183-185; Cloughoughter, 336-337; Connaught, called also Articles of Dunmore, 236-239; 343; Dromagh, 208; Drumruske (Carrick-on-Shannon), 173-175; Dublin, called also Ormond Articles, 125, 126, 275; Inchlogher, 258-260; Innisboffin, 319-320; Jamestown, 172-173; Kilkenny, called also Leinster Articles, 197-205, 277-279; Newtown, 232-233; Roscommon Castle, 169; Roscommon County (Kellies), 260-261; Streamstown (Fitzpatrick), 151-154; Ulster, 280-282
- Articles of War, Committee (English) for, 417, 419; difference of opinion between and Irish Government, 420-421, 519
- Articles of War, Committee (Irish) for, 451, 475-476, 482
- Aske, Major, 366
- Askell (? Achill), 376
- Assessments, power to levy, 4; in Leinster, 8, 78, 89, 195; in Ulster, 21, 60, 77; in Connaught, 25, 194; in Munster, 195; in twelve precincts, 288, 373; power to levy, 440; complaints as to, 513; to be more equitably settled, 537, 617; amount derived from, 639
- Assessments, Commissioners-General of appointed, 459-460; to grant certificates to transplanter, 472, 474-475
- Athboy, 666
- Athenry, 524, 610, 611, 666
- Athenry Barony (co. Galway), 567
- Atherdee, 321, 381, 394-395. See also Ardee
- Athlone, reduction of, 5; 17, 24, 31, 34, 48; plot to surprise, 53; 71, 74; to be fortified, 79, 80, 82, 83, 86, 90, 102, 131, 134; country about wasted, 137; supplies for, 138, 141, 143, 149; Reynolds at, 182; 195, 208, 210; money for fortification of, 241-243; 288, 315, 398, 471; Irish not to live near, 495, 524; Commissioners of Loughrea to

Athlone—*continued*

- remove to, 525, 527, 532, 580;
articles of, 588; garrison at, 610,
611, 616; prisoners at, 631; 666,
667; governor of, 704-705
- Athlone Barony (co. Roscommon),
assigned transplantable widows,
423, 494; 566
- Athlone, Commissioners of Qualifica-
tions at, 469-471, 498, 514, 535,
540, 544, 545, 547, 588-589, 591,
598, 603
- Athy, 84, 88, 90, 181, 471; woods in
precinct of, 492; manufactures at,
578
- Attorney-General. See Basill, Wil-
liam
- Auditor-General. See Roberts, Ed-
ward
- Avery, Samuel, alderman, 44 *n.*;
servant of, 45, 56; draws Adven-
turers' lots, 405
- Avery, Timothy, 344, 513, 626
- Axford, Edward, 309
- Axtell, Col. Daniel, Governor of Kil-
kenny, 63 *n.*, 68, 73, 100, 102, 114,
128, 150, 155, 185, 197, 217, 219,
223, 228, 231, 239, 258, 269, 273,
274, 275, 306, 360, 395, 397, 486,
490; regiment of, 640
- Aylmer, Sir Andrew, 482 *n.*
- Ayr, 331
- Ayre. See Eyre

B

- BADCOCK, Rev. Heritage, 706
- Bagenall, Dudley, 592
- Bagenall, Col. Walter, 148 *n.*, 158,
188, 197, 201, 204, 258, 273, 275,
592 *n.*
- Baggot, Elizabeth, 549
- Baggotrath, 33, 38
- Baines, Rev. Mr, 679
- Baker, Henry, 251
- Baker, Capt. John, Governor of Castle
Blaney, 275, 276, 380 *n.*, 459
- Baker, Patrick, 694
- Baker, Tady, 694
- Balcarres, Earl of. See Lindsay,
Alexander
- Ballatnara (? Bellantra), co. Roscom-
mon, 524, 616
- Balliglasce, 206
- Balligriffin, 206
- Ballileague, 143-144 *n.*, 149, 524, 616
- Ballina, 321
- Ballinacargy (Carrigan), co. Cavan,
O'Reilly's castle, 13 *n.*, 22, 25, 49,
55, 62, 63
- Ballinafad, 174, 524, 616
- Ballinakill, parish of, 135
- Ballinasloe, 524, 616, 628
- Ballinastantin (? Ballynascanlan), co.
Louth, 321
- Ballinekill, 206
- Ballinester, 616
- Ballinrobe, 524
- Ballintine (? Ballinatona, co. Tipper-
ary), 206
- Ballintobber, 169 *n.*
- Ballintober Barony assigned trans-
plantable widows, 423, 494; 567
- Ballunhinny (? Ballindine), co. Mayo,
376
- Ballybawn (? Bawn), co. Tipperary,
Fitzpatrick's castle, 64, 128 *n.*
- Ballyloghan, 524
- Ballymartyr, 207
- Ballymoe, 524, 616, 667
- Ballymoe Barony, 567
- Ballymote, Lord Taaffe's house, 221,
222, 227, 524, 616
- Ballynahinch Barony, 566
- Ballynehinsye (? Ballynahinch, co.
Limerick), 206
- Ballyshannon, 210, 212, 232, 350
- Balrothery Barony assigned soldiers'
widows, 494, 519, 536
- Banagher, 375, 524, 616
- Bandon, petition of ancient inhabit-
ants of, 556
- Bandriffe, Henry, 404
- Barbados, Col. O'Dwyer's men to be
transported to, 430; ship bound
for to be searched, 465, 475; priests
to be transported to, 477; persons
illegally transported to, 528; priests
to be banished to, 549, 553; Irish
felons to be transported to, 562, 691
- Barners, Mr, 708
- Barnewall, George, Judge-Advocate
for the Irish, 199 *n.*
- Barnewall, Lt.-Col. James, 201, 702
- Barnewall, Sir Richard, 148 *n.*, 158,
188, 197, 199, 201, 273, 421, 702
- Baron, Geoffrey, executed, 92 *n.*
- Baronies assigned soldiers' widows,
453, 494, 519, 536, 609
- Barrett, Major John, 715
- Barretts Barony, 506
- Barrington, Capt., Governor of
Magherafelt, 679
- Barrow, River, 27, 37, 49, 50, 120
- Barrow, Col. Robert, 40 *n.*, 60, 68, 77,
306, 322, 360, 365, 370, 475; regi-
ment of, 640
- Barry, Garret, Commander of Irish
forces in Munster, 107 *n.*
- Barry, Sir James, 463 *n.*

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Barry, Richard, Earl of Barrymore, 433, 444 *n.*
 Barry, Robert, Catholic Bishop of Cork, 206
 Barrymore, Earl of. See Barry, Richard
 Basill, William, Attorney-General, 162 *n.*, 296; legal cases submitted to, 335, 420, 452, 463, 528, 536, 594, 600, 601, 631
 Basingshaw Street, 44 *n.*
 Basleeneslo, Castle of. See Ballinasloe
Bassing, the, 651
 Bath, Peter, 437
 Baxter, Mr, 67
 Baxter, Rev. Richard, 527 *n.*
 Bayley, Dr William, 399
 Beaumaris, 81, 90, 701; governor of garrison at. See Jones, Ccl. John
 Beckett, 699
 Beer, declaration regulating sale of, 351
 Beggars. See Vagrants
 Belfast, Commissioners of Parliament at, 11-26; letters to Commissioners of Revenue at, 40, 69, 77, 110, 135, 162, 175, 177, 211, 303; assessment of precinct of, 288, 373. See also Ulster
 Bellaghi (? Bellahy), co. Sligo, 376, 524, 616
 Bellaknaw, 376
 Bellaleag (? Ballyleague), co. Roscommon, 376
 Bellew, Major Michael, 702 *n.*
 Belturbet, 12, 23, 25, 221-222, 227, 235; precinct of, 274, 288, 294, 303, 374, 435
 Bennagh Parish, 135
 Bennet, Capt., afterwards Major John, 90 *n.*, 434 *n.*, 711, 715
 Beresford, Lt.-Col. Tristram, 212, 625
 Bermingham, Francis Lord, 702 *n.*
 Bermingham, John, 650
 Bibles for soldiers, 242, 256
 Bickerstaff, Capt., 360
 Bigamy. See Axford, Edward
 Bilbao San Sebastian, 316. See also St Sebastian
 Birr, 205
 Biscuit, 143, 149
 Bisse, John, 296, 624
 Blacke, Henry, 691
 Blackwater, River, 120 *n.*, 215
 Blackwell, junr., John, treasurer-at-war, 136 *n.*, 160 *n.*, 358-359 *n.*, 639
 Blackwell, Capt. John, 311, 451
 Blagrove, Col. John, regiment of, 641
 Blake, Dominick, 136, 166
 Blake, John, Recorder of Galway, 100, 163, 166
 Blake, Sir Richard, 149 *n.*, 158, 163, 461, 526
 Blake, Rev. Thomas, 527 *n.*
 Blake, Sir Valentine, 163, 166
 Bleane (Blane), co. Tipperary, 206
 Bligh, Major John, 136
 Blomer, Francis, 404, 417 *n.*, 446
 Blundell, Sir George, 41 *n.*
 Boats, 131, 132, 432
 Boffin. See Innisboffin
 Bolton, Sir Edward, 296 *n.*
 Bolton, Major Francis, 360 *n.*, 365, 540, 715
 Bolton, Capt. William, 36 *n.*, 395
 Bonnell, Toby, 707
 Books, popish, seized, 695, 716
 Booth, a goldsmith of Cheapside, 44, 45, 85, 137
 Borowen, 610, 611
 Bourke, Capt. Edward, 237
 Bourke, John, Lord Brittas, 251 *n.*
 Bourke, Capt. Sir John, 237
 Bourke, Capt. John, 237
 Bourke, Lettice (*née* Shirley), 253, 254, 302 *n.*
 Bourke, Col. Richard, Commander in Connaught, 133 *n.*; surrenders Drumruske, 173-175, 198; fires Portumna, 223, 228; submits, 237, 319; sixth Earl of Clanricarde, 702
 Bourke, Sir Theobald, Viscount Mayo, 198 *n.*, 237, 239, 299, 304, 307, 311
 Bourke, Capt. Thomas, 237
 Bourke, Sir Ulick, 237
 Bourke, Col. Ulick, 237
 Bourke, Ulick, 206
 Bourke, Walter, *alias* Carragh, 206
 Bourke, Col. William, 198, 237
 Bourke. See also Burke
 Bowles, Thomas, deputy-treasurer-at-war, 136 *n.*, 138, 276
 Boyle Barony, 567
 Boyle, Richard, first Earl of Cork, 11 *n.*
 Boyle, Richard, second Earl of Cork, 116, 125
 Boyle, Roger, Lord Broghill, 47 *n.*, 100, 114, 116, 209, 215; defeats the Irish at Macroom, 218, 219, 220, 223, 229; 269, 282; grant of Muskerry's lands to, 294; 298, 308, 341, 368-369, 375, 391, 425, 447, 463, 489, 624; regiment of, 642; 669
 Boyne, River, 120
 Bradbent, William, 399
 Bradshaw, Edmund, 707
 Bradstreet, 44 *n.*
 Brady, Lt.-Col. Owen, 247, 306

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Brayfield, Lt.-Col. Alexander, Governor of Athlone, 163, 166, 175 *n.*, 306, 398, 410, 470, 495, 497, 529, 622, 705, 706
- Brenan, Margery, 650
- Brett, Lt.-Col. John, 365 *n.*, 624
- Brewster, Rev. Nathaniel, 570, 611
- Bridges, Col. John, 527 *n.*, 603, 624, 698
- Brien, Col. See O'Brien, Murtoagh
- Bristol, 131, 218, 241, 249, 400
- Broadhaven, 610, 611, 616, 667
- Broghill, Lord. See Boyle, Roger
- Bromfield, 303
- Brown, Sir John, 23
- "Brown George," *a*, 23 *n.*
- Browne, Dominick, alderman of Galway, 100
- Browne, Geoffrey, 124 *n.*, 342 *n.*
- Browne, Major John of the Neale, 703 *n.*
- Browne, Capt. (? identical with preceding), 415 *n.*
- Browne, Mathias, 434
- Browne, Richard, 605
- Bryan, Rev. John, 527 *n.*
- Bryant, John, a woodreeve, 492
- Bullock Harbour, 67
- Bunratty Barony assigned transplantable widows, 423, 494; 567
- Burgess, Rev. Anthony, 527 *n.*
- Burke, Ulick, fifth Earl of Clanricarde, 35 *n.*, 40, 48, 133, 143; letters of to Ludlow, 144-145, 148, 158, 161, 163 *n.*, 181, 196, 210, 211, 216; letter of to Commissioners, 216-217, 220, 226-228, 235, 253-254, 282, 302
- Burke. See also Bourke
- Burne, Joan, 549
- Burne, Margery, 549
- Burren Barony, 140, 531, 567
- Burrishoole Barony, 135, 566, 601
- Bury, William, 615 *n.*, 655, 672, 696
- Busquill, Capt., 303
- Butler, James, Duke of Ormond, articles concluded with, 125-126; lease of his lands granted Sir H. Waller, 289
- Butler, James, 206
- Butler, John, 206
- Butler, Pierce, son of Lord Galmoy, slain, 191
- Butler, Richard, Viscount Mountgarret, 206 *n.*
- Butler, Richard, 206
- Butler, Rev. Samuel, 528 *n.*
- Butler, Thomas, 206
- Butler, Tibbot, 206
- Butler, Capt. William, 93
- Butter, export allowed of, 293
- Byrne, Elinor, 549
- Byrne, Hugh M'Phelim, 704
- Byrne, Lt.-Col. James, 703
- Byrne. See also O'Byrne.

C

- CADOGAN, Major William, 394
- Cahernamart (Westport, co. Mayo), 524, 616, 667
- Cahir, 666
- Callough, the, 141 *n.*, 143, 149, 190
- Cam Island, 376, 524, 616
- Camby, Capt. Solomon, 623 *n.*
- Cantire, 331
- Cappoquin, 234
- Carbery Barony, co. Cork, 190, 425; collateral security for the army, 507-508
- Carbines, want of, 189
- Carbury Barony, co. Sligo, assigned soldiers, 398, 408
- Carbury Barony, co. Kildare, 90
- Cardiganshire, 11 *n.*
- Carenagh, Col., 281
- Carey, George, high sheriff of Donegal, 633 *n.*
- Carey, Patrick, 394
- Caribbee Islands, Irish transported to, 341, 430, 433, 555, 613
- Carlingford, 17, 26, 43, 59, 284, 321, 342, 666
- Carlow, 5, 27, 39, 50, 70, 78, 84, 88, 121; great part of waste, 140; 171, 195, 204, 257, 274; State lands in to be let from year to year, 422; 434, 454; retention of Irish labourers in, 486, 499; Tories in, 591; woods in, 601; State lands in to be leased for term of years, 665, 713
- Carmarthenshire, 11
- Carnew, 50; inhabitants of to be transplanted, 514-515
- Carra Barony, 135, 567
- Carragh. See Bourke, Walter
- Carrick (on Suir), 666
- Carrick-Colta. See Carrigaholt
- Carrickdrumruske (Carrick-on-Shannon), 524, 616
- Carrickfergus, Commissioners of Parliament at, 16, 18, 21; ships captured at, 43, 52, 64, 84, 249, 329, 342, 468, 484, 626, 664, 666
- Carrickmacross, 275
- Carrigaholt, Sir Daniel O'Brien's castle, 91 *n.*, 524, 616, 667
- Carrignabrack, 171
- Carroll. See O'Carroll
- Carter, Capt., 139

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Carteret, Dr Philip, Advocate-General, 282, 290, 292, 344, 354, 365, 455, 486, 491, 549
- Carthy, Margaret, 691
- Carwardine, Walter, 484, 505
- Cashel, murders at, 206; plague at, 240; houses to be let in, 666
- Castaloe. See Costello
- Casteel, Col. James, regiment of, 640
- Castleblaney, 275, 276
- Castleconner, 376
- Castledermot, 711
- Castlehaven, Earl of. See Touchet, James
- Castlejordan, 58 *n.*, 59
- Castleknock Barony, wolves in, 306; assigned soldiers' widows, 453, 494, 519, 609
- Castlerahan Barony, 399, 508
- Castletown (co. Kildare), 32, 38
- Castletown-Bellew, 321
- Castletown-Corsley, 321
- Cattle, exportation of forbidden, 112; allowed to be exported, 539; mutilation of, 591
- Caulfeild, William Lord, 679
- Cavan, 12, 15, 20, 48, 60, 63, 119, 121; yields no contribution, 131; 182, 217, 222, 230, 235; included in Belurbet precinct, 274, 294; 323; Irish still hold out in, 336, 399
- Cavanagh. See Kavanagh
- Chambers, Rev. Robert, 304 *n.*, 679
- Chancellor of Exchequer. See Meredith, Sir Robert
- Channel Isles, 81
- Charlemont, 316, 399, 679
- Charles II, 81
- Charnock, Rev. Stephen, 570, 679
- Cheese, 70; none in Ireland, 137; 143, 149, 189
- Chester, 12, 13, 14, 17, 45, 55, 85, 111, 193, 249, 277, 321, 346, 552, 553, 704, 705, 709
- Chief Baron of Exchequer. See Corbett, Miles
- Chief Justice of Common Pleas. See Lowther, Sir G.
- Chief Justice of Upper Bench. See Pepys, Richard
- Christmas holidays, superstitious observance of forbidden, 464, 558, 717
- Chudleigh, Mr, a ship-wright, 213
- Clanawley Barony, 399, 507-508
- Claneboy, Lord. See Hamilton, James
- Clankee Barony, 399, 508
- Clanmahon Barony, 399, 508
- Clanmalier, Lord. See O'Dempsey, Lewis
- Clanmorris Barony, 567
- Clanricarde, Earl of. See Burke, Ulick and Bourke, Richard
- Clanricarde, Anne, Countess, 629 *n.*
- Clanturk (? Kanturk), 209
- Clanoulty, 206
- Clare Barony (co. Galway), 566, 667
- Clare Castle, taken by Ludlow, 82 *n.*, 86, 91; articles for surrender of, 93-94; Irish excluded from, 524; Sadler desires lease of, 614; to be a garrison, 616; 667
- Clare County, 114, 121; included in Limerick precinct, 130; capitulation of Irish in, 183-185; desolate state of, 343; assigned Irish transplanters, 355-358; 360, 371, 567. See also Connaught
- Clare Island, 319
- Clarges, Dr Thomas, 681, 695
- Claridge, Samuel, popish books consigned to, 716
- Clarke, George, adventurer, 429-430 *n.*
- Clarke, Col. John, regiment of, 218 *n.*, 282, 640
- Clarke, Capt., of the *Reserve*, 141-142, 164 *n.*, 167 *n.*
- Clarke, Mr, storemaster at Galway, 256
- Clary, Patrick, 694
- Cleggan Bay, 524, 610, 611, 616, 667
- Clement, Gregory, adventurer, 417 *n.*
- Clinton, Lord, 416, 419, 420
- Clonagh, castle of, 55-56
- Clonderlaw Barony, 567
- Clonebreny, 321
- Clonmacnowen Barony, 567
- Clonmel, 115, 195, 205; meeting of officers at, 233, 236, 239; 258, 274, 288, 297; trials at, 311, 313; to be cleared of Irish, 334; 374, 411, 434, 666
- Clothes for soldiers, 9, 73, 81, 84, 116, 118, 122, 129; want of the cause of many deaths, 133, 248
- Clotworthy, Sir John, 670 *n.*
- Cloughoughter, articles of, 335-336
- Coach, a pirate, 52
- Coakely, Capt., 425
- Coghlan, Col. John, 153 *n.*
- Coin, clipp and counterfeit, 26, 30, 309, 654, 665. See also Money
- Cole, Francis, 686
- Cole, Col. John, 163 *n.*, 166
- Coleraine, 16, 350
- Commemoration, Day of, 613, 629. See also under Thanksgiving
- Commissioners of Parliament for the affairs of Ireland. See under Ireland
- Commissioners of Revenue. See Revenue, Commissioners of

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Commissioners for inquiring into massacre of English Protestants. See Massacres
- Commissioners for the settling of Ulster. See under Ulster
- Commissioners for relief upon Articles of War, called also Court of Claims. See Articles of War, Committee of
- Commissioners for stating the accounts of the Army. See under Acts of Parliament
- Commissioners for administration of Justice. See Justice
- Commissioners for examining delinquency of Irish. See Delinquency
- Commissioners to set out lands to disbanded soldiers. See under Soldiers
- Commissioners for setting out lands to transplanted Irish. See under Transplanters and Loughrea, Commissioners of
- Commissioners for compounding with Protestants. See Protestant Delinquents and Munster Protestants
- Commissioners for determining claims to forfeited lands. See under Lands
- Commissioners of survey. See Survey, Commissioners of
- Commissioners to adjudge Transplanters' claims. See Athlone, Commissioners of Qualifications
- Commissioners of the Admiralty. See Admiralty
- Commissioners of the Treasury. See Treasury, Commissioners of
- Commissioners of Assessments. See Assessments, Commissioners of
- Commissioners for marking out three-mile limit. See under Three-mile
- Commissioners for determining differences among Adventurers. See under Adventurers
- Commissioners to try Qualifications of natives in Munster. See Mallow Commissioners
- Commissioners for distributing lands to the Army. See under Army
- Commissioners to consider unsatisfied decrees. See Decrees of Court of Athlone
- Commissioners for setting tithes, etc. See under Tithes
- Commissioners to inquire into Adventurers' lots. See Adventurers, conduct of
- Committee of Parliament for Irish Affairs. See Irish Affairs, Committee of
- Committee of Navy. See Navy, Committee of
- Committee of Petitions. See Petitions, Committee of
- Committee for effectual preaching. See under Ministers
- Committee of tillage, etc. See Tillage, Committee to improve
- Committee to provide for poor, etc. See Poor-law relief
- Committee of trade and transplantation. See under Trade and Transplantation
- Committee to consider transplantation of Scots. See under Ulster
- Committee of Claims. See Adventurers, Committee for clearing claims of
- Committee for effectual transplantation. See under Transplantation
- Committee to inquire into ecclesiastical lands. See Lands, church
- Committee for approbation of ministers. See under Ministers
- Committee to consider of Irish secured for not transplanting. See under Irish
- Committee to consider of retention of Irish. See Five Counties
- Committee to remove obstructions in setting out lands. See Adventurers, grievances of
- Committee for regulating schools in Dublin. See under Dublin city
- Committee to consider soldiers' orphans. See Orphans and Widows
- Committee to consider taxation. See Taxation, Committee of
- Committee to consider of estates of English Delinquents. See English Delinquents, Committee of
- Committee to consider of Irish in County Leitrim. See under Leitrim
- Committee to consider of debentures of soldiers' widows. See under Widows
- Committee to promote plantation and reform Irish. See Plantation, Committee to encourage
- Committee for relief of English settlers. See English settlers
- Committee to examine Capt. Grymes. See Grymes, Capt. Samuel
- Committee for equalising values of lands. See under Lands
- Committee for regulating bounds of parishes. See Parishes
- Committee to consider of papists holding office in Dublin. See under Dublin city, petition of inhabitants
- Committee of Revenue. See under Revenue

- Concord*, the, 249
 Condé, Prince of, 376, 433
 Condon, Col. John, 207, 215
 Condons Barony, 391, 507-508
 Confederates, Irish, records of Supreme Council of, 403 *n.*
 Connaught, 6, 8, 14, 16, 19; assessment of, 21; revenue of, 24, 25; 26, 27; plundered by the Irish, 30, 31; garrisons in, 101; customs and excise in, 102; 111, 118; assessment of settled, 127, 130; scarcity of corn in, 131, 132; 139, 140, 194, 198, 210, 230, 233; Irish in submit, 235-239; state of, 244, 286, 299, 335; assigned for Irish transplanters, 355-358; 371; forts to be erected in, 375-376; lands in to be set out to Irish transplanters, 387-389; old surveys of, 514; case of Irish proprietors in, 523, 558; lands in for '49 arrears, 579; cattle mutilated in, 591; insufficiency of lands for transplanters in, 609, 632; places for garrisons in, 611, 616; to be put in a state of defence, 623; walled towns in, 667; persons arrested in, 702-703. See also under Coote, Sir C.; Irish; Transplanters and Separate Counties
 Connell, Patrick, 694
 Connor. See O'Connor
 Conway, Edward, second Viscount Conway and Killultagh, 72
 Conway, Col. Edward, 72
 Cony Island, 499
 Cook, John, Chief Justice, 142, 335 *n.*, 337, 452, 455, 463, 475, 481, 528, 569, 604, 618, 622, 691, 716
 Cooke, Col. George, 5 *n.*, 9, 31, 34, 42, 47, 64, 68-69, 71, 100, 114; killed in a skirmish, 171
 Coolattin (co. Wicklow), inhabitants of to be transplanted, 514-515
 Coolavin Barony, 135
 Coole Inure (? Cullen, co. Tipperary), 206
 Coolock Barony assigned soldiers' widows, 519, 536, 609
 Cooper, Col. Thomas, 602 *n.*, 621, 622, 625-627; regiment of, 640; 670; takes the Engagement, 714
 Coote, Sir Charles, President of Connaught, 12, 13 *n.*, 19, 21-22, 24-25, 30; before Galway, 48; 68, 75, 84, 91, 100, 103-104; grant of lands to, 109; 111, 116, 122-123, 127, 130, 145-147; concludes treaty for surrender of Galway, 163, 168-169, 175; 182; explains his conduct, 186; 210;
 Coote, Sir Charles—*continued*
 captures Ballyshannon, 212; 217, 219; takes Sligo, 221-222, 227, 230; takes Newtown, 232; 235; Connaught Irish surrender to, 236; 252; concludes articles with Clanricarde, 253-254; 268-269, 285-286, 299, 302, 307; grant of lands to, 318; sets up iron-works, 327; 335, 360, 365; allowed to retain Irish labourers, 371; 400, 410, 429, 434, 451-452, 473, 495, 497; on Commission for setting out lands to transplanters, 521; 525, 532, 538; to clear Galway of Irish, 546, 548; 558, 566; to inquire into malpractices in setting out lands, 569; 571, 576, 611, 614; to provide for the safety of Connaught, 623-624; 631, 632; regiments of, 640-641; to retain Irish workmen, 657; 686
 Coote, Lady, 22 *n.*
 Coote, Col. Chidley, regiment of, 642
 Coote, Col. Richard, 335; regiment of, 641
 Coote, Col. Thomas, regiment of, 641
 Coppinger, James, 536 *n.*, 574
 Coppinger, Sir Robert, 224, 228
 Corbett, Miles, Parliamentary Commissioner for the government of Ireland. See under Ireland, government of; member of Irish Council, 438, 443, 455, 468, 481, 521, 536, 577, 588, 655, 672, 673, 696; re-appointed Parliamentary Commissioner, 697, 713
 Corbet, Mrs, 79
 Coreomroe Barony, 567
 Cork, 47, 114, 139-140, 193, 195, 210, 216, 242, 250, 274, 282, 288, 294, 308; trials at, 311, 313; 323, 327, 336, 365; assessment of, 374-375; lands in to be surveyed, 379-380; lands in assigned disbanded soldiers, 389-394; State lands in to be let from year to year, 422; Irish in to be drawn into villages, 425; 454; woods in, 459; collateral security for army in, 507-508; 541-542, 556, 569; Irish in imprisoned for not transplanting, 573-575; 613, 618; houses in falling to ruin, 647; printing press at, 658; State lands and houses in to be leased, 665-666
 Cork, Earl of. See Boyle, Richard
 Cork House, 11 *n.*, Committee of trade and transplantation at, 369-370
 Corn, Irish burn their, 62 *n.*; 70, 73; engrossers of, 75; question of destroying seed, 77; 84, 86, 88; very

Corn—*continued*

little in Ireland, 113; 122, 129, 131, 137; four hundred barrels captured at Ballileague, 144; 247, 285; Irish refusing to transplant to forfeit their, 485

Cornock, Capt. Jacob, 395

Corporations, Charters of, 567, 578, 652

Coshbride and Coshmore Barony, 114, 139

Costello Barony, 566

Costello, Lt.-Col. Dudley, 281, 319

Costello, Lord. See Dillon, Thomas

Cote (? Coote), Col. John, regiment of, 640

Cotts, Irish, to be seized, 432

Council of State, letters to, 6-9, 12-13, 16-18, 19-21, 26-28, 30-31, 44-45, 51-57, 61-62, 67-71, 74, 82-85, 90-94, 111-114, 116-118, 130-134, 137-139, 142-144, 147-148, 159-160, 188-192, 194, 207-208, 221-226, 236-239, 247-250, 268, 285-286, 300-302, 305, 310-311, 316, 317, 322-324, 327-329, 345-346, 380-383, 426-427, 431

Couran, Donagh, 694

Courthop, Capt. Peter, 574, 633 *n.*

Cox, Rev. Mr, 679

Cox, William, 136

Cranfield, Lionel, Earl of Middlesex, heirs of, 290

Crawley, John Oge, 574

Oreaghts, the, 221; to be suppressed, 272 *n.*, 284, 299, 315, 618

Cremorne Barony, 508

Crilly, Abbot, 124 *n.*, 244 *n.*

Crofton, Edward, 397

Crofts, Benjamin, 136, 459, 632

Cromwell, Henry, 463; admitted a member of the Irish Council, 468 *n.*; orders to, 602, 613, 614, 618, 622, 627, 638; regiment of, 639, 641; 670; Instructions to as Lord Deputy, 672; recalled, 696-697

Cromwell, Oliver, letters of Commissioners of Parliament to, 94, 124-125, 134, 240, 332-333, 402, 406, 419, 427, 429, 436; letters of Lord Deputy and Council to, 449, 451-454, 457-459, 476-477, 506, 561, 586, 592-594, 645, 663, 665, 667-668, 675-676, 684-685; letters from to Commissioners of Parliament, 412, 414, 416, 417, 429; letters from to Lord Deputy and Council, 456, 457, 463, 469, 476, 482, 514, 615, 659, 669-670, 674-675, 680, 685; letters from to H. Fleetwood, 400, 424;

Cromwell, Oliver—*continued*

to H. Cromwell, 536; Instructions to as Captain-General of all the forces of the Parliament, 263-268; Instructions from to Lord Deputy and Council, 437-443; 518-520, 578-585, 672-673; proclaimed Protector, 403; thanksgiving for preservation of, 653

Cromwell, Richard, proclaimed Protector, 686

Crookhorne, Capt., 195

Crossaile, 206

Crow-Nest, house so called in Dublin, 626

Croyly. See Crilly

Cruse, Capt. George, 319

Crytch, John, 660

Cuff, James, 524 *n.*, 571

Cull, Rev. John, 325 *n.*

Cullen, John, 691

Culme, Col. Arthur, regiment of, 640

Cunningham, William, Earl of Glencairne, 325

Cuppige, Major Robert, 425

Cushendun, 331

Customs and excise, amount received from, 639; question of farming, 677

D

DALY, Edmund, surrenders Roscommon, 169

Dame Street, 626

Dancer, Thomas, high sheriff of Wexford, 632 *n.*

Dartree Barony, 508

Davenport, Rev. John, 450 *n.*

Davis, Edward, 90 *n.*

Davis, Hugh, 711

Davis, John, 625 *n.*

Davis, Major Thomas, 711 *n.*

Davocke, James, 253

Dawson, Thomas, Deputy-Commissionary of Musters, 708

Dean, Richard, treasurer-at-war, money received by, 639

Deane, Daniel, 221

Deane, Capt. Joseph, 391, 424-425 *n.*; compensation for losses, 506, 670; regiment of, 698; major to Col. Wallis, 714-715

Death penalty for not transplanting commuted, 437, 442

Debentures, soldiers forbidden to sell, 369; how to be satisfied, 393-394; holders of small, 453; for service in England, 563; persons qualified to receive, 634-635

- Decies Barony, 115; Ulster Scots to be transplanted into, 333
- Declarations of Commissioners of Parliament, 8, 115-116, 132, 234; of Act of Settlement, 283; 296, 309, 310, 318, 321; for transplantation of Ulster Scots, 339 *n.*; 343, 345, 346-347, 351, 361-362; against soldiers marrying Papists, 363; for transplantation of Irish, 389 *n.*; for disarming Papists, 400; 404, 409, 410; for dispensations from transplantation, 412-413; 416-418, 428, 437; by Lord Deputy and Council, 449, 457, 466-467, 473-475, 484, 487-490, 497-498, 502, 504, 507-508, 514-516; on the Articles of Galway, 533-534; against Tories, 537-538; 539, 540, 542, 544, 557, 558, 594, 602, 614, 619-620, 623-624, 651; for government by Commissioners of Parliament, 696
- Decrees of Court of Athlone, lands in Connaught insufficient to meet, 609; Commission to consider of unsatisfied, 632; time for presenting limited, 611; necessity for a revision of, 648; for lands within three-mile limit, 653-654
- Degor, George, 185
- Delaney, Richard, 625
- Delinquency, Instructions as to, 2; in Ulster, 69, 70; estates sequestered for, 71-72; how far modified by Articles of Dublin, 125-126; commission appointed to inquire into, 380; rules to guide inquiry, 378-379; inquiry into to be expedited, 428, 471, 525, 558, 567. See also Protestant Delinquents and Qualifications
- Den (? Denn, Henry), Commissary-General, 146
- Denham, Joseph, 136
- Denison, Major John, 380 *n.*, 391, 459, 474, 715
- Denny, Arthur, high sheriff of Kerry, 633 *n.*
- Derby, Earl of. See Stanley, James
- Derry. See Londonderry
- Derryaghy Parish (co. Antrim), 671
- Derry-Clony (co. Tipperary), 206
- Desbrow, Major-General John, 708
- Desbrow, Major John, 398, 628 *n.*, 714
- Dethick, treasurer-at-war, 8
- Digby, Lord George, 35
- Digby, Sir John, 34 *n.*, 40 $\frac{1}{2}$
- Dillon, Frances Lady, 53 *n.*, 243
- Dillon, Garret, 703
- Dillon, Sir James, 203 *n.*
- Dillon, James, 706
- Dillon, John, sons of, 703
- Dillon, Sir Lucas, son of, 53
- Dillon, Richard, 650
- Dillon, Richard, servant of preceding, 650
- Dillon, Thomas, Viscount Dillon of Costello-Gallen, 53 *n.*, 204, 243 *n.*
- Dillon, Capt. Tibbot, 703 *n.*
- Dingle, 196, 215, 223
- Disbrow, Major John, 169. See also Desbrow
- Disney, Lt.-Col., 365
- Dispensations from transplantation, 422; committees appointed to grant, 428-429; granted to Protestant converts, 434; power to grant, 442; misusd, 516; 569, 573-575, 694
- Diurnal Record*, the, 478
- Dives, Sir Lewis, 40 *n.*
- Dix, Rev. William, 671
- Dobson, Lt.-Col. Isaac, 344, 378 *n.*, 470, 660, 715
- Dog. See Wolf-dog
- Donegal, 60, 121, 131, 210, 299, 350, 484; assigned for '49 arrears, 579, 599
- Donnellan, James, Chief Justice, 296 *n.*, 335, 475, 481, 484, 603, 655, 673-674
- Donnellan, Capt. William, 237, 253
- Dongan, Thomas, Baron of the Exchequer, 77 *n.*
- Doobally (co. Leitrim), 376
- Dorzes. See Dursley Island
- Dowdall, Lawrence, 199 *n.*, 702
- Down, 49, 60, 131; Ulster Scots in, 361; gross survey of lands in, 384; division of between soldiers and Adventurers, 405-406, 484
- Down Survey, the, 514 *n.*, 532
- Downs, battle of the, 214, 219, 225
- Doyle, Bryan, 694
- Doyle, Cornelius, 694
- Doyle, William, 694
- Doyley, Capt. Edward, 387 *n.*, 389
- Doyley, Lt.-Col. Robert, 378 *n.*, 470
- Dragon*, the, 132
- Draper, Capt. William, 311-312
- Drogheda, 34, 44, 193; Commissioners remove to, 248; to be put in a state of defence, 704. See also Foulke, Col. R.
- Dromagh Castle, surrender of, 207 *n.*, 208-209
- Drumabo, 671
- Drumahaire Barony, 134
- Drumruske, 133; surrender of, 173-175. See also Carrickdrumruske

Dublin City, 17, 24; volunteers for defence of, 28; train-bands, 32; dangerous position, 33-35; volunteers raised at, 37; plague begins to abate in, 39; cattle driven away from vicinity of, 50; plague abating in, 58; empty houses in to be let, 109, 193; fresh outbreak of the plague in, 241, 245; High Court of Justice at, 311, 313; Irish shipped at, 315; trials at, 316; ships in harbour to be searched, 467; hospital for soldiers at, 473; regulation of schools in, 494; 499; visited by the plague, 504; 505; ships to be searched at, 528; transplanters to be ejected their houses in, 531; 543; Irish not allowed in Castle, 544; free school at, 548; Newgate gaol, 562; Quakers in, 563; Irish Papists in, 568; Christ Church, 611; precautions to prevent surprisal of Castle, 626; forfeited houses in, 666; Irish Papists not to hold office in, 678; measures to secure, 697, 699; embargo on ships at, 701; petition of inhabitants of, 703; militia, 704; embargo on ships removed, 704; Jesuits in to be secured, 707; ships to be searched at, 716

Dublin County, garrisons in, 70; assessment of, 78, 89; state of revenue in, 139-140; lands in to be let, 147; revenue, 159; assessment of, 195, 288, 373; lands in to be let, 422; transplanters' claims to lands in, 466-467. See also Five Counties; Hewson, Col. John

Dublin Trinity College closed on account of the plague, 10; to be reformed, 11; students of, 491

Dublin Articles, 125-126, 275; effect of, 295, 420, 499

Duckenfield, John, 670-671

Duckenfield, Col. Robert, 81 *n.*

Duckenfield, Major William, 398, 468, Lt.-Col., 664 *n.*

Duhallow Barony assigned disbanded soldiers, 391, 507-508

Dunamon, 524

Dunbarre, Rev. Mr., 480

Dundalk, 15, 25; plague at, 31; quarters preyed, 42, 48, 50; 63; High Court of Justice at, 317; 399, 666

Dungan, Col. Sir Walter, 32 *n.*, 33, 38, 49, 56; storms New Ross, 61; defeated, 68-69; 71, 75, 157, 186, 190-191; capitulates, 197, 199,

Dungan, Col. Sir Walter—*continued*
201-202, 204-205; 273-274, 276-278, 286

Dungarvan, 115, 666

Dunkellin Barony, 174, 566

Dunluce, 43

Dunmore, Articles of, 343, 524

Dunmore Barony, 567

Dunne. See O'Doyne, Lt.-Col. Richard

Dunsandle, 174

Dursey Island, 327

Dutch ships, detention of, 225

Dyas, Capt., 307 *n.*

E

EASTER HOLIDAYS PROHIBITED, 502

East Meath. See Meath

Ebzyry, Lt.-Col. Philip, 474 *n.*

Edmonds, Capt. Richard, high sheriff of Westmeath and Longford, 633, 705

Edwards, Dr Jonathan, 394

Edwards, Thomas, 406

Edwards, Col. William, 387 *n.*, 389, 521, 524, 571

Eight, Pieces of, 44 *n.*, 59

Elections, parliamentary, 424, 427-428, 433

Eliogarty Barony, no Irish in, 465

Elliot, Andrew, 227

Ellison, an ironmaster, 679

Elphin, 667

Emly, Bishop of. See O'Brien, Terence

Engagement, the, all officers of State to take, 76 *n.*; Scots ministers in Ulster to take, 256; Irishmen remaining in Ireland to take, 283; enforced in Ulster, 293; time for taking extended, 303, 314, 327; persons taking not to be molested, 332; officers of army to take, 714

England, troops to be sent to, 700-702; alarming news from, 704

English Delinquents, Committee to consider of Irish estates of, 534

English Protestants to plant their waste lands, 339

English settlers, provision for, 509, 553, 656

Ennis, 183

Ennis. See Inny

Enniscorthy, 329

Enniskillen, 399, 505

Enniskillen, Lord. See Maguire, Conor

Eri-Connaught. See Iar-Connacht

Erris Barony, 566, 601

Esmonde, Sir Thomas, 204, 702 *n.*

Estates concealed, inquiry into, 601

Eustace, Sir Maurice, 629 *n*.
 Eustace, Rose, 650
 Evan, Capt. George, 616 *n*.
 Everard, James, 713
 Ewer, Capt., 141 *n*.
 Ewer, Col. Isaac, regiment of, 640
 Exeise, 11, 16, 135. See also Customs
Expedition, the, 214, 249
 Eyre, Lt.-Col. William, 477 *n*., 478,
 480, 501

F

FANNING, Dominick, 92 *n*.
 Farlo, Martin, 604
 Farrell, Capt. Con, 237
 Farrell, Capt. Fergus, Governor of
 Ballileague surrenders, 143 *n*.
 Farrell, Capt. Lewis, 280-282
 Farrell, Col. Richard, 182, 198, 237,
 247 *n*., 263; surrenders, 280-282;
 Standish to pay money due to him,
 314-315
 Fast-day, 504, 612, 707
 Feeny, Bryan, 549
 Fenagh (co. Leitrim), 524, 616
 Fenn, Robert, alderman, 44
 Fenton, Lt.-Col. John, 404, 446
 Fenwick, Capt. Ralph, 331, 399
 Fenwick, Col. Ralph, regiment of, 641
 Fermainagh, 60, 119, 121, 131, 140,
 180 *n*.; included in Belturbet pre-
 cinct, 274, 294; assigned disbanded
 soldiers, 399; 484, 505
 Fermoy Barony, 391, 454, 507-508
 Ferns, 666
 Ferrard Barony, 15, 60, 78
 Ferriter, Major Pierce, 207 *n*.
 Fewes, the, 25 *n*.
 Finch, Lt.-Col. Simon, 398, 613, 623
n., 715
 Finnagh (Finnea, co. Cavan), 219
 Finsham, Simeon, 136
 Firelocks, want of, 189
 Fitzgerald, Christopher, 702
 Fitzgerald, Edmund of Ballymartyr,
 207
 Fitzgerald, George, 702 *n*.
 Fitzgerald, Lt.-Col. Gerald Oge, 157-
 158 *n*., 183, 205, 207, 277 *n*., 286
 Fitzgerald, John Knight of Kerry,
 426-427 *n*.
 Fitzgerald, Sir Luke, 702 *n*.
 Fitzgerald, Maurice, 574
 Fitzmaurice, Col. Edmund, 207 *n*.,
 224 *n*.
 Fitzmaurice, Col. Garret, 224, 228 *n*.
 Fitzpatrick, Col. Brian M'Shane,
 205 *n*., 258

Fitzpatrick, Col. Florence, 207 *n*.,
 death of, 258
 Fitzpatrick, Col. John, 31 *n*., 34, 59,
 64, 68, 140; offers to submit, 147,
 148, 149-150; articles of agreement
 with, 151-154; reasons for, 154-
 157; 160, 161, 169; excommuni-
 cated, 183; declaration against,
 187-188, 189; 217, 219-220, 240;
 gone to Spain, 258, 286
 Fitzsimon, Col. Garret, 203 *n*.
 Fitzwilliam of Merrion, Viscount.
 See Fitzwilliam, Col. Oliver
 Fitzwilliam, Col. Oliver, 420 *n*.; letter
 of to Supreme Council, 687-689
 Fitzwilliam, Lady, petition of, 687
 Fitzyeomans, Nicholas, 31
 "Five Counties," the, question of re-
 tention of Irish in, 486, 499, 515,
 544, 602
 Flanders, Irish transported to, 321,
 373, 412, 433
 Fleetwood, Charles, Commander-in-
 Chief, 249, 258; instructions to,
 263-268; arrives in Ireland, 274,
 276; 282, 289; additional instruc-
 tions to, 355-359; instructions to
 as Lord Deputy, 437-443, 518-
 520, 578-585; dispensations granted
 by, 569; regiment of, 640, 698;
 on Committee for Irish Affairs, 708;
 letters to from Commissioners of
 Parliament, 241, 276-277, 297; from
 Oliver Cromwell, 400-401, 424;
 from Irish Council, 550, 553-555,
 557, 564, 567, 617, 626-627, 637,
 646-649; from T. Herbert, 598;
 from Lord Lieutenant and Council,
 696
 Fleetwood, Mrs (Bridget Cromwell),
 277
 Fleming, Charles, Baron Slane, 68,
 190 *n*., 201
 Flower, Lt.-Col. Henry, 319-320,
 365 *n*.
 Folliott, Sir Henry, Baron of Bally-
 shannon, 210 *n*.
 Folliott, Major John, 397
 Foot-regiments, money paid to, 639-
 641
 Foreigners invited to settle in Ireland,
 560, 582-583
 Foulk, Bartholomew, 398
 Foulk, Cornet Robert, 454-455 *n*.
 Foulke, Lt.-Col. Francis, Governor of
 Drogheda, 15, 66 *n*., 422, 490, 574,
 624; regiment of, 640
 Foulke, Col. John, 394
 Four-mile limit, 432. See Three-
 mile

Fowles, Thomas, to hold gaol delivery in Connaught, 484-485, 674, 716
 Foyssot, Don Francisco, Spanish agent, 177 *n.*
Fox, the, 18, 249
 France, assistance for Irish from, 323 ; priests to be banished to, 549, 625 ; vessel from to be searched, 654
 Francis, Richard, surveyor, 109
 Frankland, William, 470
 Franklin, Capt. Richard, 597
 Freind, Capt. John, 590 *n.*
 French, Sir Oliver, alderman, 100, 163 ; hostage for Galway Articles, 166
 French, Stephen, alderman, 100
 French ships, 11, 211, 232, 233
 Fugill, Thomas, 394
 Fullers-earth not to be exported, 585 *n.*

G

GALE, Capt. Anthony, 139 *n.*
 Galmoy, Lord. See Butler, Pierce
 Galloway, Earl of. See Stewart, James
 Galtee mountains, 215
 Galway, Sir Geoffrey, executed, 92 *n.*
 Galway Articles, 163-166 ; commissioners refuse to confirm, 163-164, 165-167, 170, 175-177 ; Coote's explanations on, 186 ; difficulty about fifth clause of, 192 ; to be accepted with qualifications, 272 ; effect of, 372-373 ; under consideration, 374, 431, 436, 526, 528 ; decision regarding, 533, 543, 545
 Galway County, 119, 127, 130, 135, 194 ; waste lands in to be let, 256 ; petition of gentry of against soldiers, 270-271 ; assessment of precinct of, 288 ; forts to be erected in, 375-376 ; 485, 566-567
 Galway town, 13, 15, 18, 20, 24, 26, 30, 34 ; siege of, 48, 82, 95-96, 97-98 ; treaty for surrender of, 104, 129, 133, 144-147, 158 ; surrenders, 163 ; outbreak of plague in, 241 ; export of wool and leather from prohibited, 243 ; 254-256, 305, 310, 312, 321 ; untenanted houses in to be sequestered, 326 ; 371, 373, 408 ; dangerous persons to be removed from, 431 ; ruinous houses in, 432 ; 484, 524, 543 ; petition of inhabitants of, 545 ; to be cleared of Irish, 546-547, 548-550, 576 ; a garrison town, 616 ; no Irish to reside in, 620 ; persons in prison at, 631 ; houses falling to ruin in, 647 ;
 Galway town—*continued*
 description of state of, 661 ; to be given to Gloucester, 662, 666 ; Liverpool to share in, 676, 684 ; 687, 695, 705. See also Stubbers, Col. Peter, and Sadler, Col. Thomas
 Garcones (gossouns), 530
 Gardiner, William, sheriff of Derry, 177
 Garorgh (? Carroroe, co. Galway), 376
 Garrench (? Garryhinch), meeting of Irish at, 148 *n.*, 157 *n.*, 158 ; declaration of assembly at against Fitzpatrick, 187-189, 243 ; decisions of assembly at not recognised by Commissioners, 254
 Garrisons, number of, 7 ; new to be planted, 13 ; difficulty of provisioning, 70, 84, 88, 118 ; outbreak of plague in, 241 ; where Irish are not to reside, 524 ; cost of maintaining, 537 ; places in Connaught appointed to be standing, 616 ; to be provisioned, 707
 Gasansoe (? Garanroe, co. Tipperary), 206
 Gaultiere Barony, 115 ; lots drawn in cancelled, 540-541
 Gawle or Gawly, Col. Tibbot, 205 *n.*
 Gay, John, 470
 Gefford, Col. Sir John, regiment of, 641
 Genins, Thomas, 604 *n.*
 Geoghegan, Conly, 703 *n.*
 Gething, Capt., 303
 Gibbons, Capt., 322 *n.*
 Gifford, Col. John, 332 *n.*
 Gilbert, Capt., Governor of Teeroghan, 144
 Gill, Col. George, 404, 446
Gilliflower, the, 249
 Glebe lands. See Lands, church
 Glenahiry Barony, 115
 Glenarm, 43, 331
 Glencarne, Lord. See Cunningham, William
 Glenmaliere, 49 *n.*, 56, 148 *n.*
 Glenmalure, 129 *n.*
 Gloucester, 662, 676, 684
 Glynnnes, the, 175 *n.*, 177
 Godfrey, Capt. John, 474 *n.* ; Major, 715
 Goffe, William, 691
Golden Sun, the, 232
 Goldsmith, Philip, 136
 Goodwin, Robert, 438 *n.*, 443, 468, 529, 536, 578, 655, 672 *n.*, 697
 Gookin, Vincent, 556, 600, 609 *n.*, 624, 648, 665, 675
 Goold, Francis, 227

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Gore, Lt.-Col. Francis, 169
 Gorey, 13
 Gorges, Dr Robert, 698 *n.*
 Gorin. See Gowran
 Gormanstown, lands at granted Sir C. Coote, 109
 Gort, 610
 Gospel. See Ministers
 Gough or Goffe, William Lord, 694 *n.*
 Gowran, 171, 666
 Grace, Cyprian, 153
 Grace, Col. Richard, Irish commander in Leinster, 49 *n.*, 56, 59, 64, 189, 190, 204, 207, 211, 217; fires Portumna, 219, 221, 223, 228; 239; submits, 258; conditions granted, 259-260
 Graham, Major, 339
 Great Island, 411, 433, 632
 Green, Major Elias, 623 *n.*, 715
 Greene, Thomas, 505-506
 Greene, William, 506
 Greenway, Henry, 387 *n.*, 389, 521
 Grew, Rev. Obadiah, 527 *n.*
 Grocers' Hall, lot drawing at, 404-405, 419. See also Adventurers, Committee for clearing claims of
 Grymes, Capt. Samuel, 559
- H
- HALSEY, William, 604, 618, 624 *n.*
 Hambden (? Hampden), Richard, 592
 Hambleton, Lt., 339
 Hamilton, 19
 Hamilton, George, Lord Strabane, 650
 Hamilton, James, Viscount Claneboy, 352-353 *n.*; petition of, 573
 Hammon, Robert, adventurer, 404, 406, 446
 Hammond, Col. Robert, 438 *n.*, 443; death of, 464
 Hancock, William, 706
 Hanway, Capt., 699
 Harbour-Burchall or Burshell (co. Leitrim), 376, 524
 Harecourt, William, 398
 Harding, Dr John, 391, 468, 487
 Harrington, Sir James, 708
 Harrison, Dr Thomas, 54 *n.*, 570, 588, 648, 679
 Hartup, Thomas, 44-45, 65, 85
 Hasell, Robert, 707
 Haselrig, Sir Arthur, 295, 708
 Hassard, Major Henry, 682
 Hawkins, William, high sheriff of Cork, 569, 574 *n.*, 613
 Head-money, 262-263, 317
 Hector, the, 214, 232, 249
 Hellshaw, Arthur, 397
 Henland (? Henllan, Wales), 289
 Herbert of Cherbury, Edward Lord, 712
 Herbert, Col. Thomas, 296, 335, 344; letters of as Clerk of the Council, 485, 501, 504-505, 517, 526-527, 541, 547, 559, 591-592, 597, 624, 632, 656, 658, 660, 664
 Herrings, permission to export, 293
 Hewitson, John, 90 *n.*; high sheriff of Kildare and Carlow, 632 *n.*
 Hewson, Col. John, Governor of Dublin, 5 *n.*, 8-11, 14, 15, 17, 20, 24-27, 31, 33-35, 37; in ill-health, 38; 42, 48, 59, 71, 75, 88, 114, 129, 162; to treat with the Irish, 185; proclamation by, 194-195; 197, 210, 217, 223, 230, 235, 306; draws soldiers' lots, 404; 451-452, 454, 464, 473, 475, 486, 489, 499, 528, 538, 544, 566, 571, 624; regiment of, 640, 697, 699
 Heydon, Capt. William, 398
 Hides, permission to export to England only, 293; restrictions removed, 539
 Hierarchy. See Lands, church
 Higgins, Dr, executed 92 *n.*
 High Court of Justice established to try murders, 285-286; persons condemned by, 310-311; Sir Phelim O'Neill before the, 322; judgments of to be reviewed, 335, 342. See also under Bourke, Sir Theobald, Cork, Clonmel, Dundalk, Kilkenny
 High sheriffs, appointment of, 632-633
 Hill, Col. Arthur, 40 *n.*, 71-73, 127, 131, 329, 339, 655, 658, 670
 Hill, Major Richard, 44; suspected of coining, 56, 85, 137
 Hill, Thomas, 136
 Hind, the, loss of, 16, 17, 23
 Hodden, Major Richard, Governor of Kinsale, 269 *n.*, 379 *n.*, 391, 411, 474
 Hodder, John, 230, 391; mayor of Cork, 613, 658
 Hodges, Bartholomew, 549
 Hodges, Frances, wife of preceding, 549
 Hodges, John, 699, 700-701
 Holcroft, Capt. Charles, 236, 387 *n.*, 389, 397, 521, 571
 Holland, Nicholas, 380
 Hollyday, Adam, 691
 Holman, Rev. Didgery, 700
 Holyhead, 58, 193, 701
 Hook, Tower of, proposed light-house on, 683

Hooke, Thomas, alderman, mayor of Dublin, 344, 378, 462, 464, 466, 470, 487, 509, 528, 545, 588, 603 *n.*, 665
 Honor, Lt.-Col. John, 398
 Hopkins, Rev. George, 528 *n.*
 Horse-regiments, money paid to, 641-642
 Horses, none to be had, 193; strange mortality among, 268; permission to export, 582; licence to press, 716
 Hospital for wounded soldiers, 473
 Houghton, John, Deputy-treasurer, dies, 83 *n.*, 89
 How, Rev. Edward, 679
 Howlett, Captain, 33 *n.*, 37-38
 Howth Head, proposed light-house on, 683
 Hubbard or Hubbert, Thomas, 404, 406, 446
 Hughes, John, secretary to the Commissioners, 11 *n.*
 Humble Petition and Advice, 672
 Humiliation, Day of, 109, 384-386
 Hunks, Col. Hercules, regiment of, 640
 Hutchinson, Daniel, alderman, 11 *n.*, 75, 83-84, 88-89, 91, 309, 344, 447, 451, 463, 509, 545, 626; high sheriff of Dublin and Wicklow, 632

I

IAR-CONNACHT, 91, 286, 303, 305, 310
 Ibercan. See Ida
 Ibrickan Barony, 567
 Ida Barony, 115, 396-397, 508
 Imokilly Barony assigned soldiers' widows, 453, 494, 519, 536, 609
 Inchicore (Inchcoura, King's County), Grace's stronghold, 258 *n.*
 Inchicronan, 524, 616
 Inchiquin Barony, 531, 567
 Inchlogher (Inchcoura, King's Co.), articles for surrender of, 258-259
 Indemnity for officials during the war, 637
 Indian Bridge (Barbados), 691
 Ingoldsby, Col. Sir Henry, Governor of Limerick, 218 *n.*, 219, 221, 223, 228-230, 249, 250-251, 269, 282, 306, 308, 321, 335, 590, 623-624, 631; regiments of, 641-642
 Inshturk, 319
 Innisboffin, 255, 286, 291, 303, 305, 310, 312, 316; articles for surrender of, 319-320, 322-323; 335, 524, 610-611, 616, 675
 Innish. See Ennis

Inns of Court, 466
 Inny River (Eithne), 144 *n.*
 Insinutris (? Iniscaltra), 174
 Instructions. See under Athlone, Assessments, Delinquency, Galway, Ireland, Lands, Loughrea, Provost-Marshals, Soldiers, Ulster. Also Coote, Sir C.; Kingdon, Capt. Richard; Morgan, Major Anthony; Reynolds, Commissary-General; Rowe, William; Standish, James
 Instrument of Government, the, 424, 617, 624
 Inverkeithing, 18
 Ireland, Commissioners of Parliament for the affairs of: Instructions to, 1-4, 230-231, 263-268, 355-359; Letters and Orders of, 5-448 *passim*, 696-717 *passim*. Lord Deputy and Council of: Instructions to, 437-443, 518-520, 578-585, 652-653, 672-673; Letters and Orders of, 448-696 *passim*; Instructions for government of, 1-4; deplorable condition of, 8; state of affairs in, 40; false money in, 44; trade of crippled by pirates, 65; "country disease" prevalent in, 119, 133; pirates on the coast of, 126-127; scarcity of corn in, 131, 137; settlement of belongs to the English Parliament, 146, 158; no provisions to be had in, 189; orders of Parliament for, 230-231; a sad place, 239; contraband trade in, 243; sad condition of, 247; damage done by counterfeit coin and pirates, 248-250; Instructions for government of, 263-268; Act for settling, 269, 283; need for a mint in, 301; care to preach the Gospel in, 304; priests and Jesuits to be expelled from, 310, 318; waste lands in, 339; estimate of debt due on lands in, 381; gross survey of lands in, 384; good money driven out of, 402-403; soldiers and Adventurers divide lands in, 404-406; Instructions for government of, 437-443; cost of establishment of, 450; English laws to be extended to, 452; military establishment of, 458; wasted condition of, 477; additional instructions for government of, 518-520; plan for a militia in, 551; ships to guard coasts of, 562; Instructions for government of, 578-585; members of Parliament chosen to represent, 624-625; money received and paid for the

Ireland—*continued*

public service in, 639-645; English to be encouraged to settle in, 656; the business of settling, 695-696; government by Commissioners of Parliament re-established in, 696-697; to be put in a state of defence, 698, 709-710

Ireton, Henry, Lord Deputy, at Limerick, 7, 9, 14, 20, 22, 24-27, 30, 32, 34-40, 46, 69, 74, 82-83, 86-87; illness of, 91; death of, 94; summons Galway, 95-99; instructions of regarding Athlone, 102; terms offered Limerick by, 104-106; opinion of Lord Antrim, 123 *n.*; conditions offered to Galway by, 166, 168, 251; forbids soldiers to marry Irish Papists, 363; dispensations by, 569; regiment of, 640-641

Irish anxious to know their fate, 7; activity of in Leinster, 17, 27, 32-38, 40, 42, 49, 56, 59, 61-64; signs of a general rising among, 69; number of in arms, 113; proposals for breaking strength of, 118-120, 132; make overtures for a settlement, 133; low condition of, 143, 147; assembly of at Garrench, 148; proposals of rejected, 157-158; absolute submission required from, 159; blood-guiltiness of, 179-180; losses of, 182; incensed against Fitzpatrick, 183; apply to treat, 185; treaty arranged with at Kilkenny, 195-205; rewards offered for capture of leaders of, 206-207; concentrate their forces about Ballyshannon, 210, 212; defeated by Broghill in Munster, 219, 223; under Muskerry surrender, 224-226; surrender of in Connaught, 225-239; perish daily of hunger, 239; massacres by to be inquired into, 242, 245; still expect help from abroad, 244; driven out of Limerick, 251; further surrenders of, 258; vigorously prosecuted in Ulster, 268; forbidden to live in creaghts, 272; to be closely watched, 273; complain of breach of articles, 277; remaining in Ireland to take the Engagement, 283; High Court of Justice established for trial of, 285; fresh rising in Connaught of, 286; capture of Aran by, 303, 305; sentences to be strictly executed on, 308; numbers of transported, 310; com-

Irish—*continued*

pelled to surrender Aran, 311-312; surrender Innisboffin, 319-320; to be transported to Flanders, 321; lazy and prone to rebellion, 322; capture Whiddy Island, 323; difficulty of providing for transportation of, 328; starving in County Wexford, 329; not to be sued for acts of war, 332; two thousand transported from Connaught, 335; final surrenders of, 336-337; measures for the relief of poor, 337, 340; vagrants to be transported, 341; first steps for a transplantation of, 355-358; proprietors to enter their claims to lands, 362; soldiers forbidden to marry, 363; servants of transplanters allowed to look after crops, 372; beggars transported to New England, 374-375; witnesses in murder cases not to be transplanted, 376; inquiry into delinquency of, 378-380; to receive lands in Connaught, 387-389; to deliver up arms, 400; Kilkenny to be cleared of, 409; transported, 411; dispensations from transplantation granted to, 412-413, 422; to be drawn into villages, 425; to be removed out of Galway, Sligo and coast lands, 431-432; forbidden to go to England or Scotland, 432; not to trade beyond seas, 432; to be transported to Barbados rather than to the Continent, 433; inquiry into conversions of, 434; provision for prisoners, 467; in arms to be punished as spies, 478; refusing to transplant to be punished, 485; petitions to retain, 486; to be weaned from their lewd customs, 497; estates of all that have not manifested constant good affection to be let, 498; relieving Tories to be transplanted, 514; Gospel to be preached to, 517; excluded from garrisons in Connaught, 524; not transplanted to live in villages, 537; to be brought to conform to English customs, 542-543; not to be allowed in Dublin Castle after sunset, 544; to be removed from Galway, 546-550; orphans to be apprenticed in England, 552; condemned to be hanged for relieving Tories, 556; seduced by their priests, 559; refusing to transplant to be secured, 568; renounce-

Irish—*continued*

ing Popery to be set at liberty, 575;
mutilate cattle, 591; imprisoned
for not transplanting, 598-599;
to be removed out of Cavan and
Monaghan, 602; claims to constant
good affection to be heard, 603-
607; places where they may not
reside, 611; in gaol at Kinsale
to be transported, 613; returning
without licence to be examined,
618; chief persons of to be secured,
619; precautions against dis-
affected, 620-621, 625-626, 631;
to be removed out of walled towns,
648; arrested at Dublin, 650; Sir
C. Coote allowed to retain a number
of, 657; convicted at the assizes
for not transplanting to be trans-
ported, 687; application to retain,
694; leaders arrested, 702; pre-
cautions against at Galway, 706;
in co. Wicklow, 707; inquiry as
to soldiers marrying, 711; to be
removed from Limerick, 716
Irish Affairs, Committee for, letters
to, 58, 125, 193, 284, 289, 316, 328,
372, 383-384
Irish language, 78
Iron-works, Sir C. Coote's, 327 *n.*, 657;
Ellison's, 679
Islands Barony, 567
Iveagh, Lord. See Magennis, Arthur
Iverk Barony, 396-397, 508
Ivory, Capt. William, 378

J

Jacob, the, 65
Jamaica, expedition to, 617, 627, 632,
699
Jamestown, 48, 133, 143, 169;
articles of surrender, 172-173; 524,
580, 610, 616, 667
Jenifer, Daniel, 706
Jenner, Rev. Thomas, 704
Jenon, Capt. John, 395
Jephson, Col. William, 566, 571, 624 *n.*
Jersey, 81
Jervais, Capt. Samuel, 425, 575 *n.*
Jessop, William, Clerk of the Council,
629
Jesuits, excluded from benefit of
articles, 93, 115; to be expelled the
country, 309 *n.*, 310, 318, 336 *n.*,
345; excluded from transplanta-
tion, 356; to be transported, 376,
436, 477, 549, 553; increase of,
559; repentant to be dispensed
from transportation, 625-626; to

Jesuits—*continued*

be dealt with according to law,
636; imprisoned on Innisboffin,
675; in Dublin to be secured, 707
Johnson, Capt., 18, 65
Johnson, John, Irish delivered to for
transportation, 400
Johnston, Archibald, Lord Warriston,
708
Jones, Rev. Ambrose, 469 *n.*
Jones, Christopher, 26, 44, 45, 85
Jones, Dr Henry, Scoutmaster-
general, 140 *n.*, 153; presents
abstract of massacres, 179, 197,
202; inquires into massacres in co.
Tipperary, 242, 257-259; Com-
missioner to inquire into the
massacres, 296; 339, 344, 354,
378, 451, 468, 475, 487, 490, 603
Jones, Major Henry, 344, 366, 451,
490, 499, 697; Lt.-Col., 715
Jones, Col. John, Commissioner of
Parliament for the affairs of Ireland,
436, 697, 701, 713; commander-in-
chief in Ludlow's absence, 714-715.
See also under Ireland, Commis-
sioners of Parliament
Jones, Col. Michael, 125, 613; regi-
ment of, 642
Jones, Col. Theophilus, 12 *n.*, 27, 34,
57, 64, 71, 75, 144, 153; Ulster
Irish submit to, 336-337; 344, 365
Jordan, Col. William, 319-320
Jubbs, Capt. Martin, 319-320
Justice, Commissioners for adminis-
tration of, 303, 344, 420; ordinary
administration of resumed, 474;
delayed for want of seals to
authorise commissions, 476

K

KAVANAGH, Major Art, 191 *n.*, 259
Kavanagh, Col. Daniel, 201, 204 *n.*,
259
Kavanaghs, the, still holding out, 239
Kearney, Maurice, 713
Kells, 666
Kells Barony (co. Kilkenny), 396-397,
508
Kelly, Capt. Brian, 311
Kelly, Major Charles, 260-261
Kelly, Col. Donogh, 237
Kelly, Col. Ferdoragh, 260
Kelly, Capt. Hugh, 260
Kelly, Col. John, governor of James-
town, surrenders, 172-173; 702
Kelly, Capt. Laughlin, 260
Kelly, Capt. William, 260
Kelly, Capt. William M'Donough, 260

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Kempston, Col. Nicholas, 543 *n.*, 714
 Kendrick, John, alderman, 44 *n.*
 Kennedy, James, 691
 Kerry, 47, 119, 121, 140; Muskerry's forces in, 190, 196, 207, 209; army marches into, 210, 215, 216, 229; 232; assessment of, 234; O'Brien holds out in, 235, 238; 249, 257, 288, 323; enemy increases in, 327, 336; assessment of, 345, 374; 471, 542, 713
 Kerrycurrihy Barony, 380, 391; collateral security for the army, 507-508
 Kerwan, Dominick, 164
 Kilclocher. See Killclogher
 Kilconnell Barony, 567
 Kileurly, 321
 Kildare, 42, 70, 78, 140, 195, 205, 422; reserved for the State, 454, 466; Irish labourers in, 486, 499; given up as reprisal for encumbered lands, 663; lands in to be leased, 665; 692
 Kilkea Castle, 27 *n.*; surprised, 37, 50; recovered, 55
 Kilkenny, 50, 73; Commissioners going to, 94, 101-103, 111-112; Commissioners at, 112-115; meeting of officers at, 116, 122-130, 132; assessment of, 139; Commissioners at, 174-205; 209, 214, 233, 242, 259, 276; meeting of officers at, 279-282, 284-295; petition of inhabitants of, 287; 288, 299, 304; Irish condemned at, 311; Ulster Scots to be transplanted to, 333, 360, 374; lands in assigned disbanded soldiers, 395-397; to be cleared of papists, 409; 434, 542, 666; priests and Tories in, 713
 Kilkenny, Articles of, 195-201; resolves and explanations on, 201-205; sent to England, 205; difficulties connected with, 220, 226, 273, 274, 277-279, 321, 332, 421, 463, 589
 Kilkenny Submitters, grievances of, 481, 501-502
 Kilkeran Parish (co. Galway), 135
 Killaloe, 524, 580, 610-611, 616
 Killara (? Killaha, co. Kerry), 229
 Killian Barony, 135; Col. Kelly's estate in, 173; 567
 Killclogher, (co. Louth), 67 *n.*
 Killmoye. See Galmoy
 Killrofkeahane (? Killoskehane, co. Tipperary), 206
 Kilmaine Barony, 567
 Kilmallock, 666
 Kilmore Barony assigned disbanded soldiers, 391, 507-508
 Kiltartan Barony, 567
 Kinalea Barony, 380; assigned disbanded soldiers, 391; collateral security for the army, 507-508
 King, James, high sheriff of Roscommon and Leitrim, 634 *n.*
 King, Major John, 163, 166, 175 *n.*, 176, 253, 397
 King, Ralph, 292, 552, 625, 665, 675
 King, Sir Robert, 88 *n.*, 102-103, 114, 125, 162, 344, 447, 463, 538, 566, 571; lands near Sligo granted to, 573; 588, 624
 King, William, high sheriff of Limerick and Clare, 633 *n.*
 Kingdon, Capt. Richard, instructions to, 422-423 *n.*, 459; instructions to, 483-484; letters to, 502, 505; to let State lands, 538
 King's County, 49, 90, 115; garrisons to be planted in, 119; 140; Grace forced out of, 223; delinquents in, 258; gross survey of lands in, 384; divided between soldiers and Adventurers, 405; 485; woods in, 492; tithes in to be let, 699; Tories in, 714
 Kinsale, 193, 208, 211, 215, 218, 229, 232, 241; exposed condition of, 250; 274, 282, 303, 305; ships pressed at, 308, 374-375; petition of inhabitants of, 556; 613, 632, 666. See also Hodden, Major Richard
 Kinsale, Old Head of, proposed light-house on, 683
 Knight, Rev. Mr., 142 *n.*
 Knockninny Barony, 399, 508
 Knocktopher Barony, 396, 397, 508

L

- LACY, Edmund, 501
 Lagan, the, 19 *n.*, 21
 Lambart, Charles Lord, petition of, 447-448
 Lambert, Capt. James, 174
 Lambert, John, Lord Deputy, 18 *n.*, 160-162 *n.*, 708
 Lambert, John, Clanricarde's secretary, 253
 Lancashire, 138
 Land, excise of, to be farmed, 426; to be punctually paid, 469, 543
 Landon, Capt. Edward, 319
 Lands, church, not to be assigned soldiers, 418; survey of, 419; particulars of to be prepared, 455;

Lands—*continued*

claims to, 456; inquiry into concealed, 468; near Dublin to be leased, 531; rents of, 544-545; glebes, 556; reserved, 578; to be distinguished from soldiers' and Adventurers', 601; provision for ministers out of, 654; instructions for letting, 661; only source of revenue remaining, 693; in King's County to be let, 699

Lands, forfeited, Irish proprietors to enter claims to, 362, 370, 372; insufficient to answer debt on, 381; rates in Act raised, 382; gross survey of, 385; in ten counties divided between soldiers and Adventurers, 404-406; insufficient to answer all arrears, 423; to be assigned according to intrinsic value, 445; grants of to be enrolled, 446; only sufficient to answer two-thirds of debt on, 451; surveys of, 452; commission to determine claims to, 455-456; to be surveyed by Petty, 464-465; Irish proprietors to enter claims to, 466-467; commission to adjudge proprietors' claims to, 470-471; allotted to soldiers to be booked, 479; in ten counties to be let, 485; near garrisons not to be leased to Irish Papists, 491; to be assigned transplanters *de bene esse*, 496; fraudulent grants of, 505; privately surveyed, 513; power to compound for mortgages on, 518; leases of to be transferred to Adventurers, 520; commission for assigning to transplanters, 521; rules to be followed in assigning, 522-523; profits of assigned the army, 531; fraudulent leases of, 563; proposals for equalising values of, 565-567, 571; near garrisons and on the line of the Shannon not to be let to Irish, 572-573; to be cleared of legal encumbrances, 583; in ten counties assigned the army, 599; insufficient to answer decrees of the court of Athlone, 609; assimilation of transplanters' grants impracticable, 610; legal encumbrances, 663

Lands, State, in counties Dublin, Carlow, Kildare and Cork to be let from year to year, 422, 426; power to make leases of, 440; near Dublin to be leased for seven years, 531; commission to let, 538-539; rents of to be paid, 544-545; commission to lease for term of years, 648-649;

Lands, State—*continued*

conditions attached to leases of, 665-666; nearly all disposed of, 692

Lang, Rev. Mr, 76 *n*.

Lawlor or Lalor, Major Donough, 207

Lawlor, Gyles, 549

Lawrence, Henry, President of the Council, letters to Lord Deputy and Council, 517, 563, 573, 592, 607, 630, 646

Lawrence, Joseph, merchant, to transport vagrants, 341

Lawrence, Col. Richard, Governor of Waterford, 29 *n*, 100, 114, 142, 185, 197, 218, 230-231, 269, 289; sent to England with army proposals, 290, 292; 344, 354, 360, 365, 369-370, 378, 451, 452; commissioner for effectual transplantation, 454; 464, 475, 486, 499, 509; commissioner for valuing houses in Galway, 543, 546; 588, 597, 623, 632; regiment of, 640; 646, 651, 665

Laws of England, how far to be extended to Ireland, 452

Leach, Edmund, 470, 499 *n*.

Leader, Mr, licensed to transport Irish vagrants, 374-375, 384

Learning, plan to establish an academy of, 674

Leather, export of prohibited, 243

Lee or Leigh, Col. William, 114 *n*, 269, 395, 397, 490; regiment of, 640

Lehunt, Col. Richard, 260; regiment of, 640

Leinster, garrisons in, 7, 8, 27; in great danger, 30, 32-33; enemy in, 49; abatement in assessments in, 51; enemy active in, 63; assessments in, 78-79; 131; parts of excluded from protection, 136; 140, 196; Irish in lay down arms, 198, 203-205, 277-279; estimate of forfeited lands in, 381

Leinster Articles. See Kilkenny, Articles of

Leitrim, 119, 121; in enemy's possession, 130, 134, 140; 194; forts to be erected in, 376; reserved from the Irish, 388; 485, 534; reserved, 555, 565, 571; assigned for '49 arrears, 579, 601, 609; 614, 667

Leitrim Barony, 567

Leman, William, treasurer-at-war, 136 *n*.; money received by, 639

Lenthal, William, Speaker of House of Commons, 696

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Lestrangle, Capt. Henry, 236; high sheriff of King's and Queen's Counties, 633 *n.*
- Lettermullan, 524, 616
- Leynor, Aulyt (O'Leyne, Auly), 227
- Liffey, River, 42, 195
- Light-houses, proposal to erect, 682-684
- Limerick, Ireton before, 7, 20, 30; attempt to relieve, 31; siege of, 46-47, 51, 57; visited by the plague, 69; surrender of, 71, 73-74, 82; articles of, 86; persons excepted from pardon, 86, 92; 94, 101; articles first offered by Ireton to, 104-106; exceptions taken to by citizens of, 106-107; answers to exceptions, 107-109; assessment of precinct, 114, 130, 139; 146, 195, 221, 223, 229; export of wool from prohibited, 243; 249, 251; Irish ejected from, 251; 274, 288, 297; impoverished condition of, 359, 373; gross survey of lands in county, 384; 415; complaint against sheriff of, 501; case of Protestant delinquents in, 530; 542, 580, 589-590; lands assigned Committee of claims in, 608, 610; Irish to be excluded from, 620; new charter for, 631; Quakers in, 637; houses falling into ruins in, 647; houses to be let to Protestants, 666; 704-705; volunteer company at, 713; order to remove Papists enforced, 716
- Limerick, Roman Catholic bishop of. See O'Dwyer, Edmund
- Linch. See Lynch
- Lindsay, Alexander, Earl of Balcarres, 135 *n.*
- Lisburn, 60
- Lisle, Capt. Nicholas, 698 *n.*
- Lislowry (? Lisloran, co. Tipperary), 206
- Lisnegarvy. See Lisburn
- Liverpool, 249; port of, 277, 346; petition of for satisfaction, 436-437 *n.*; question of satisfaction for, 674-676; to share Galway with Gloucester, 676
- Livingston, Rev. Henry, 671 *n.*
- Lloyd, Jenkin, 371
- Lockart, John, 681-682
- Loe, Col. Hercules, 373
- Loftus, Dudley, 296
- Loughamon (? Loughane, King's County), 258 *n.*
- London, 131; postal service between and Dublin, 289
- Londonderry, Commissioners go to, 16, 19; 42; assessment of county of, 60; 76, 131; woods in, 177; 211, 330-331, 342, 360, 436, 484; disaffected persons to be removed from, 620; woods in destroyed, 679
- Longford Barony (co. Galway), 135, 567
- Longford, 78, 90, 119, 121, 140; footing obtained in, 144, 149, 235; lands in assigned disbanded soldiers, 398, 485; assigned for '49 arrears, 579, 599
- Lord Chancellor. See Steele, William
- Lord's-Day profaned, 496-497; to be observed, 707
- Lorgan, John, 67 *n.*
- Lorraine, Charles IV., Duke of, assistance expected by Irish from, 244, 311-312
- Lots, rules for drawing, 392; land divided between soldiers and Adventurers by, 404-406; improperly drawn to be cancelled, 540; proposals for casting regimental, 595-596
- Loughcrew, 321
- Loughlin. See Leighlin
- Loughrea, 221, 223, 228, 524, 666
- Loughrea Barony, 567
- Loughrea, Commissioners for setting out lands to Irish transplanters at, instructions to, 387-389; answers to queries of, 407-409; orders to, 429, 434, 465; answers to proposals of, 472-473; orders to, 487-488, 494-495, 498; surveys to be sent to, 514; additional instructions to, 521-523; oath to be administered to, 524; to remove to Athlone, 525, 527; impolitic conduct of, 531; order of removal countermanded, 532; commission renewed, 544; new commission and instructions to, 571-572; orders to, 589, 608-609; answers to proposals of, 609-611, 625, 647, 651, 658,
- Loughtee Barony, 508
- Louth, 60; added to Dublin precinct, 294; 321, 394-395, 422, 484; Popish schoolmasters in, 491; included in Leinster, 519; 561, 680
- Low, Major William, 715
- Lowther, Sir Gerard, Chief Justice of Common Pleas, 295 *n.*, 420, 475, 481, 521, 655, 673
- Lucan, market-day at, 509
- Lucas, Ben, 185
- Lucy, Lucas, 136

- Ludlow, Edmund, lieut.-general of the horse and commissioner of Parliament, 14, 22-23, 25; at Limerick, 46; takes Clare Castle, 82, 86, 90-91 takes Carrigaholt, 91, 93; appointed commander-in-chief, 94, 100, 114; correspondence with Clanricarde, 144-146; reply to citizen of Galway, 158-159; 197, 201, 209-210, 213; in Kerry, 217, 218, 221, 223; Muskerry surrenders to, 224-225, 228-229, 232-236; in Wicklow, 239, 241; in Ulster, 268-269, 274-276; at Kilkenny, 282, 297, 365; under arrest, 480, 504, 538, 543, 550 *n.*; regiment of, 641, 700; commander-in-chief, 711, 714
- Ludlow, Roger, 455 *n.*, 481, 673
- Luttrell, Joan, 549
- Lydeott, Col., regiment of, 641
- Lymaneagh (Lemaneh, co. Clare), 524, 616
- Lynch, Arthur, 163, 166
- Lynch, James, 100
- Lynch, Sir Robuck, 163, 166
- Lynch, Stephen, 164
- Lynch, Thomas, alderman, 163, 166
- Lynch, Thomas, 650 *n.*
- Lynam, Henry, 694
- Lyndon or Lindon, Roger, high sheriff of Antrim, 634 *n.*, 671
- M
- MABBOT, Gilbert, 214 *n.*
- Mac an Bhaird, Capt. Thomas, 212, 213
- MacCarthy Reagh, Col. Charles, 207, 225 *n.*
- MacCarthy, Capt. Charles, 208
- MacCarthy, Donough, Viscount Muskerry, commander in Munster, 47 *n.* 69, 124 *n.*, 181, 186, 190, 196, 206, 209; at Ross, 210, 213, 217-218, 220, 223; surrenders, 224-226, 229, 231-232, 233, 235, 238, 250-251, 286; part of his estate given to Lord Broghill; 294, 298, 308; returns to Ireland, 318; acquitted of murder, 436; peaceable behaviour of, 452
- MacDonnell, Randal, Earl of Antrim, Ireton's opinion of, 123-124 *n.*; allowance made to, 162, 175
- Machyn, 30
- MacMahon, Col. Brian, 247, 263
- MacMahon, Col. Collo, 246, 263
- MacMahon, Col. Hugh, 246, 263
- MacMahon, Col., 336
- MacMahon, Thomas, 247
- Macroon, 215; Irish defeated at, 219, 229; governor of, 292
- MacSweeny, Col. Miles, 246 *n.*, 263
- Maddy, Lawrence, 691
- Magawley, Henry, 702
- Magennis, Arthur, Viscount Iveagh, 198 *n.*, 247 *n.*, 263, 280-282
- Magennis, Evax (Ever), 306 *n.*
- Magennis, Hugh, 247, 280-282
- Magheraboy Barony, 399, 508
- Magherafelt, governor of, 679
- Magherastephana Barony, 507-508
- Maghir. See Meagher
- Magrath, William, 206
- Maguire, Conor, Lord Enniskillen, 247 *n.*, 263, 336, 371
- Maguire, David, 650
- Maguire, Col. Hugh, 247, 336
- Mahoon, Dermot, 694
- Malignants, precautions against, 618-619, 621-622, 626. See also Royalists
- Mallow, 210, 392; commission for deciding claims of old inhabitants in Munster at, 604-607 *n.*, 615, 625
- Maloan, Mary, 549
- Maly (O'Mally), Capt., 319
- Man, Isle of, 20, 26, 52, 65, 67, 81
- Manors, estates to be erected into, 580, 652-653
- Manton, Nathaniel, 404, 446
- Manufactures, proposals for encouragement of, 578, 628. See also Iron-works, Trade
- Maps, transcripts of, 472-473. See also Surveys
- Markes, Nathaniel, 44, 45, 56, 65, 137
- Markham, Col. Henry, 162 *n.*, 459, 538; lands assigned, 589; 615, 648, 655, 665
- Markham, William, 434
- Martin, Walter, 164
- Maryborough, 204
- Mason, Robert, Clerk to Loughrea Commissioners, 631
- Massacres, the, persons guilty of not to be protected, 115; depositions regarding, 179 *n.*, definition of, 202; inquiry into, 242, 245, 248; Commission to inquire into, 295-296; 308; rumour of intended in Wicklow, 707
- Master of the Rolls. See Temple, Sir John
- Mather, Rev. Mr, 679
- Maynooth, 35, 38, 42
- Mayo, 119, 127, 130, 135, 140, 194; forts to be erected in, 376; 485; part of assigned soldiers, 565-566, 608, 610

- Mayo, Col. Christopher, Spanish agent in Ireland, 276, 282, 284, 328, 341, 669
- Mayo, Viscount. See Bourke, Sir Theobald
- M'Brien, Philip, 206
- M'Byrne, Phelim M'Hugh. See O'Byrne
- M'Cooge, John, 169
- M'Daniel, John, 691
- M'Daniell, Col., 703
- M'Dermot, Capt. Hugh, 174
- M'Dermot, Col. Terence, 237
- M'Dubay (? M'Duffy), William, 206
- M'Egan, Lt.-Col., Governor of Clare Castle, 93, 207 *n.*
- M'Egan, Capt. Carbry, 237
- M'Edward. See Mac an Bhaird
- M'Keane, Lt. Morris, 213
- M'Killegot (? Mac Elligot), Lt.-Col., 282 *n.*
- M'Manus, Brian, 247
- M'Namara, Col. Daniel, 183, 185
- M'Namara, Donogh, 185
- M'Ward. See Mac an Bhaird
- Meagher, Col. John, 154 *n.*
- Meal, 13, 26, 131; none in Ireland, 137-138, 300
- Meath, 78, 90, 321; gross survey of lands in, 384; division of between soldiers and Adventurers, 404-405; term set for proprietors in entering claims, 466; Popish schoolmasters in, 491; 542; creaghts in, 618
- Meed, Dennis, 169
- Meelick, 68, 154, 524, 616
- Meillett. See Maly
- Members of Parliament elected to represent Ireland, 624-625
- Men-of-War. See Ships
- Meredith, Sir Robert, Chancellor of the Exchequer, 125, 603, 655, 673, 698
- Meredith, Major William, 68 *n.*, 365, 447
- Merlicke, Lt. Roger, 212-213
- Meverell, George, 706
- Mexico, pieces of, 593
- Middlesex, Earl of. See Cranfield, Lionel
- Middlethird Barony, lots improperly drawn in, 540
- Milford, 81; postal service between and Dublin, 289
- Militia, plan for establishment of, 551, 614, 622, 701, 709
- Milkhaven, fort to be erected at, 376
- Miller, William, 185
- Mills, Mr, 699
- Milward, John, 416, 419-420
- Ministers of the Gospel to take the Engagement, 256; to furnish proof of their fitness to preach, 295; need of, 371; Scots of peaceable disposition, 415 *n.*; Committee (English) for approbation of, 480, 482, 527-528; Committee for approbation of, 588; amount paid, 644; Board for approbation of, 648; State provision for, 654, 660; examination of, 679; care for, 693
- Mint, question of establishing a, 301, 309, 316, 324, 328, 402, 436, 502, 557, 593
- Moghill (Mohill, co. Leitrim), fort to be erected at, 376
- Mohill Barony, 134
- Molesworth or Moulsworth, Robert, 344, 443 *n.*, 562
- Moloy. See O'Molloy
- Molyneux, Lt. (? Samuel), 704 *n.*
- Monaghan, 119, 121, 131, 140; foothold gained in, 268; included in Belturbet precinct, 274, 294; 484; Irish to be removed from, 602; troops concentrated in, 698
- Monaghan Barony, 508
- Monasterevin, 69
- Monck, Col. George, 39, 42-43, 360; regiment of, 641
- Money, great need of, 22; false, 44-45, 55-59; wanted, 70, 81, 83-84; 85, 87; arrives, 111-112; insufficient, 117, 127, 129, 132, 134; false, 137; wanted, 191, 193; ordered, 219; damage done by bad, 248, 276, 295; declaration against clipped, 297, 301, 309; need of for the army, 324; counterfeit, 402-403, 557, 657. See also under Mint; Mexico; Peru; Eight, Pieces of
- Monksgrange, 27 *n.*, 37, 50
- Monro or Munro, Major-General Robert, party of, 325; inquiry into conduct of, 664 *n.*
- Montagu, Col. Edward, 500
- Montgomery of the Ards, Hugh, Viscount, 590 *n.*, 701
- Moore, Col. Garret, 198 *n.*, 237, 239
- Moore, Henry, Viscount Drogheda, petition of, 24 *n.*
- Moore, Col. John, 125; regiment of, 641
- Moore, Katherine, 691
- Moore, Rev. Richard, 527 *n.*
- Moore, Major William, Governor of Carrickmacross, 275 *n.*, 398, 529; Colonel, 628, 632, 641, 646
- More, Mahon, 164
- More, River. See Blackwater

- Morgan, Major Anthony, 128 *n.*, 130, 282 *n.*, 339, 340, 346, 365; draws soldiers' lots, 404; 428, 447, 490, 499, 544, 597, 600; instructions to, 612, 624, 626, 657
- Morgan, Capt. Robert, 397; high sheriff of Sligo, 634 *n.*
- Morgan, Capt. Thomas, 400 *n.*
- Morley, Col. Herbert, 708
- Morris, Capt. William, 398
- Mortimer, James, serjeant-at-arms, 491, 501, 700
- Mosse, Thomas, 391
- Mough Castle. See Muff
- Mountgarret, Viscount. See Butler, Richard
- Mountgrange. See Monksgrange
- Mountrath, 327
- Moyarta Barony, 567
- Moyearn Barony, 566
- Moycullen Barony, 135, 566
- Moylagh Parish (co. Galway), 135
- Moyry, the, 17
- Muff Castle, 68 *n.*
- Mullingar, 64, 84, 88, 204, 398
- Mullins, Fred, 227
- Munster, 7, 47, 51, 79, 131, 198, 244, 250; gaols in full of Irish prisoners, 286; estimate of forfeited lands in, 381
- Munster garrisons, inhabitants of to prove constant good affection, 556
- Munster officers, question of arrears of, 332-333, 473; conduct of to be inquired into, 474
- Munster Protestants allowed to compound, 444-445; conditions of compounding, 503-504; to pay their fines, 507, 514; neglect to compound, 586; penalties to be imposed on, 594
- Murecott, Rev. John, 304 *n.*, 434; death of, 464
- Murder, definition of, 334; judged to be high treason in Ireland, 406, 411
- Murray, James, Earl of Annandale, allowed to retain Irish, 456 *n.*
- Murrisk Barony, 566, 601
- Muskerry, Lord. See MacCarthy, Donough
- Muskerry Barony, 506
- Mutton Island, 166, 168
- Mylan, John, Irish delivered to for transportation
- N
- NAAS, the, 69, 666
- Naghead, the, in Cheapside, 44
- Nanion, John, 694
- Napier, Lt.-Col. James, losses incurred by in transporting Irish, 689 *n.*
- Napper, Christopher, 45, 56, 65
- Nash, Capt., 171 *n.*
- Nash, David, 650
- Naughten. See O'Naughten
- Navan, 666
- Navigation, Acts for encouragement of, 103
- Navy, Committee of the, letters to, 126-127, 562. See also Admiralty
- Neale, Castle of the, 91 *n.*
- Neale, Tady, 694
- Nelson, Lt.-Col. John, Governor of Kilmallock, 183, 185, 208; at Ross, 224, 227-228, 269, 306; permission for to transport Irish, 309 *n.*, 415; losses incurred by in transporting Irish, 685; to treat with Tories, 714
- Newburgh, Lt.-Col. Thomas, Governor of Londonderry, 625 *n.*, 658
- New England, invitation to churches in, 54; Irish vagrants transported to, 374-375; families from to settle at Sligo, 499
- New Petition, the, officers invited to sign, 715
- New Ross, 34, 50, 61, 63, 74, 666
- Newry, 50, 71, 666
- Newstone, 321
- Newtown, Castle of, articles for surrender of, 232-233 *n.*; 321
- Nicodemus, the, 249
- Nixon, Lt., 394
- Nobber, 321
- Norris, Capt. John, 421; to transport priests and prisoners, 553, 555
- Norris, Tobias, 41 *n.*, 468
- North, Dudley, to transport Irish vagrants, 400
- Norwood, Capt., 190
- Nugent, Richard, Earl of Westmeath, Irish commander in Leinster, 64, 71, 186, 190; treaty with, 195, 197, 199, 201-202, 203-204, 205, 276, 286-287; to transport Irish to Spain, 372, 413-414, 589; Cromwell angry with, 616; arrested, 702
- Nugent, Sir Thomas, 703 *n.*

O

- OATS, scarcity of, 284, 300; declaration restricting the malting of, 297
- O'Bourke, Lt.-Col. Teige, 237
- O'Brien, Sir Daniel, 91 *n.*
- O'Brien, Col. Murrough, 46 *n.*, 183; party of in co. Clare capitulates,

- O'Brien, Col. Murtogh—*continued*
183-185; reward offered for capture of, 207; 215; in Kerry, 235, 238-239, 281, 286, 327 *n.*, 433, 444
- O'Brien, Terence Albert, Roman Catholic bishop of Emly, 92 *n.*
- O'Byrne, Col. Brian M'Phelim, 204 *n.*, 281
- O'Byrne, Lt.-Gen. Hugh, 204 *n.*
- O'Byrne, Phelim M'Hugh, 239, 705
- O'Cahan or O'Cane, Col. Daniel, 336, 703 *n.*
- O'Callaghan, Col. Callaghan, 224, 228, 318 *n.*, 703
- O'Callaghan, Charles, 703
- O'Carroll, Col. Daniel, 205 *n.*, 207
- O'Carroll, Col. Theobald, Governor of the Inch, 259-260
- O'Connor, Don. (? Col. Donough), 94
- O'Connor, Lt.-Col. Donnel, 237
- O'Connor, Col. Hugh, 237, 239
- O'Connor Roe, Col. Teige, 185 *n.*
- O'Connor Sligo, Col. Teige, 237
- O'Conor, Major Teige, 205 *n.*, 258
- O'Daly, Lt.-Col. Dermot, 237
- O'Dempsey, Lewis, Viscount Clanmaher, 154 *n.*, 197, 201, 205
- O'Dowde, Lt.-Col. Teige, 237
- O'Doyne, Lt.-Col. Richard, 207 *n.*, 258
- O'Driscoll, Col. Cornelius, 322, 327 *n.*
- O'Dwyer, Charles, 206
- O'Dwyer, Donough, 206
- O'Dwyer, Edmund, Roman Catholic bishop of Limerick, 206 *n.*
- O'Dwyer, Col. Edmund, 373, 376, 411; men raised by to be transported to Bardados, 430, 433
- O'Dwyer, John, 206
- O'Dwyer, Col. Philip, 169 *n.*, 183, 189; letter in behalf of, 240, 286
- O'Dwyer, Philip M'Thomas, 206
- O'Dwyer, William M'Shane, 206
- O'Dwyers, the, 69
- O'Flynn, Fegheraugh, 702
- Oge, William, 694
- O'Hagden, Daniel M'Owen, 691
- O'Hanly's country, 134 *n.*
- O'Hara, Capt. Cormack, 237
- O'Hara, Farrell, 703
- O'Hara, Owen, M'Dermot, 703
- O'Hart, Donogh, Governor of Newtown Castle, 232-233
- O'Hart, Hugh M'Brian Oge M'Rory, 651
- O'Hart, Mulmurry, 651
- O'Hiffernane, Edmund, 206
- O'Higgin, Briartagh, *alias* Murtogh, 505
- O'Higgin, Donough Roe, 505
- O'Keeffe, Capt. Hugh, Governor of Dromagh Castle, 208
- O'Keeffe, Hugh, 208
- O'Kelly, Lt.-Col. Brian, 237
- O'Kelly, Col. Hugh, 237, 239
- O'Kelly, Col. Teige, 237
- Olderfeet, 21 *n.*, 350
- Oliver, Capt. Robert, 397
- O'Maclaughlin, Capt. Murrrough, 174
- Omagh, 42, 48, 50
- O'Molloy, Col. Charles, 204 *n.*, 207, 258
- O'Molloy, Owen, 260
- O'More, Col. Lewis, 188 *n.*, 197, 201, 204
- O'More, Col. Rory, 199 *n.*
- O'Naghten, Edmund, 208
- O'Neill (Sir) Brian, of Clannaboy, 76 *n.*
- O'Neill, Col. Con Bacach, 247 *n.*, 336, 703
- O'Neill, Cormack, 246 *n.*
- O'Neill, Major Henry, 702 *n.*
- O'Neill, Col. Hugh, Governor of Limerick, 92 *n.*, 323, 371
- O'Neill, Owen Roe, 124 *n.*
- O'Neill, Sir Phelim, 181 *n.*, 237, 247, 263, 286, 316; tried, 322, 325
- O'Quin, Rev. Jerome, 78 *n.*, 517
- Ord, John, 136
- Orde, Cuthberd, 549
- Orde, Joan, 549
- Ordinances for further encouragement of Adventurers, 440, 498, 505, 512, 600, 617, 663, 692; for indemnity to English Protestants in Munster, 444-445, 473-474, 503, 507, 514, 586, 594, 635; for admitting Protestants in Ireland to compound, 519, 586, 594; for the better provision of maimed soldiers and old widows and orphans, 519, 536; for the approbation of public preachers, 480, 588; for declaring what offences shall be adjudged high treason, 414; for determining differences among the Adventurers, 487; for equalising soldiers' lands according to their real value, 445-446; for assigning lands to the Committee for clearing Adventurers' claims, 446-447, 462, 607, 646
- O'Reilly, Major Charles, 337
- O'Reilly, Col. Miles, 198 *n.*, 246, 263, 280-282, 336
- O'Reilly, Col. Philip M'Hugh, Irish commander in Ulster, 48 *n.*, 198, 247, 263, 280-282, 336
- O'Reilly, Col., killed, 68

Ormond, Marquis of. See Butler, James
 Ormond, Countess of. See Preston, Elizabeth
 Ormsby, Major Robert, 212, 232, 236, 366 *n.*, 427 *n.*, 473; high sheriff of Mayo and Galway, 634
 O'Rourke, Major Brian, 212-213
 Orphans, care for Irish, 497, 552. See also under Widows
 Orrery Barony, 391, 507-508
 Ostend, man-of-war from, 612
 O'Sullivan Beare, Col. Donnel, 322, 327 *n.*
 O'Toole, Col. Luke, 204 *n.*
 O'Toole, Richard, licensed to kill wolves, 299
 Oughter, Lough, 13 *n.*
 Ously, Major, 415 *n.*
 Overstreet, Lt.-Col., 329
 Owen, Major Henry, 153 *n.*, 201, 624
 Owen, Dr John, 10 *n.*, 371
 Oyster Island, 499

P

PACKENHAM, Henry, 398
 Packet-boats captured by pirates, 58, 67-68, 80; delayed by bad weather, 716
 Page, John, Master in Chancery, 406
 Paisley, James, 90 *n.*
 Papists. See Irish
Paradox, the, 651
 Pardon, general, for Protestants in Leinster, Munster and Connaught suggested, 586-588
 Parishes, boundaries of, 584
 Park, Robert, 651 *n.*
 Parliament, Cromwell's first, question of elections to, 424, 427, 443; second, elections, 616-617; members returned from Ireland to, 624-625; Little, letters of Commissioners for affairs of Ireland to, 335-336, 363-365; dissolved, 385; Long, 22; not over-pleased with articles granted the Irish, 261; proposals of officers to, 288-291; letters of Commissioners for affairs of Ireland to, 24, 45-50, 62-65, 86, 122, 128, 160, 170, 178-186, 205, 209-212, 243-245, 299, 311-314, 317, 322; dissolved, 338 *n.*; restored, 696; Commissioners of for the affairs of Ireland. See under Ireland
 Partridge, Rev. Nathaniel, 304 *n.*
 Patience, Rev. Thomas, 304 *n.*
Patrick, the, a pirate, 249

Patron days prohibited, 712
 Paynam, Capt. Henry, 190 *n.*
 Peddies (paddies), 530 *n.*
 Pemberton, Capt., 35, 38, 42
 Penn, Sir William, 463 *n.*
 Pennoyer (? William), 465
 Pensioners, money paid to, 644
 Pepys, Richard, Baron of the Exchequer, 437 *n.*; Chief Justice of the Upper Bench, 455, 464; member of the Irish Council, 468; legal cases submitted to, 481, 503, 521, 526, 588, 672; death of, 691
 Perkins, Major Richard, 434 *n.*
 Perrin, John, alderman, lands assigned, 589
 Peru silver, 45, 59; counterfeit, 248; bad, 301, 402, 557, 592-593
 Petitions, Committee of, 162
 Phaire, Col. Robert, Governor of Cork, 100, 269, 282, 298, 306, 308, 318, 365, 391, 411, 425, 430, 459, 506, 556, 569, 574; regiment of, 640
 Phillips, Capt. Miles, 174
 Phillips, Major Walter, 174
 Philpott, Capt., 702
 Pierce or Piers, Capt. Edward, 192 *n.*, 211
 Pierson, Capt. John, 399
 Pikes, want of, 189
 Pirates, 26, 65; damage commerce, 66; in Dublin Bay, 67; Turkish, 126 *n.*, 631; French, 211; damage done, 249, 346, 350, 684-685, 693, 710
 Plague, the, 10 *n.*, 28, 31, 39, 58, 69, 94; day of humiliation on account of, 109; fresh outbreak of, 240, 248, 263, 297, 344; fast on account of, 504
Plain Dealing, the, 632, 646, 651
 Plantation, proposed New England settlement at Sligo, 449; committee to encourage, 542-543, 553; proposed English settlement at Armagh, 681-682
 Playford, Capt. Samuel, 462
 Plunkett, Edward, petition of, 630 *n.*
 Plunkett, Col. James, 310 *n.*
 Poland, collection for distressed Protestants in, 679
 Poor-law relief, measures of, 337, 340-341, 584. See also Vagrants
 Portenade (co. Sligo), fort to be erected at, 376
 Porter, Henry, Provost-Marshal, 715
 Portpatrick, 43, 52
 Portugal, priests banished to, 549
 Portumna, 68; Commissioners at, 118, 122, 127, 130; Council of

- Portumna—*continued*
 Officers at, 133 ; fired by the Irish, 218-219, 223, 228 ; 256, 524, 580, 610-611 ; granted to H. Cromwell, 655
 Postal service, 289, 559 *n.*
 Power, David, 702 *n.*
 Power, Miles, 32
 Powerscourt, 708
 Preachers. See Ministers
 Precincts, assessments of in Leinster, 78 ; in nine, 139, 195 ; in the twelve, 288, 373-374. See also Revenue, Commissioners of
 President, the, 112
 Press, liberty of restrained, 658
 Pressmen, 6 *n.* ; See also Recruits
 Preston, Elizabeth, Countess of Ormond, 313 *n.*
 Preston, John, alderman, lends money to Government, 110 *n.* ; 464, 545
 Preston, Capt. Robert, 711
 Preston, Thomas, Viscount Tara, 95*n.*, 96-97
 Pretty, Col. Henry, Governor of Carlow, 5 *n.*, 9, 64, 68-69, 100, 129, 197, 269, 306, 434, 490 ; petition of, 540 ; regiment of, 641, 711
 Pretty, Dr John, 344
 Price, John, 434
 Priests, Catholic, 336, 345, 356, 376 ; to be transported, 436, 477, 549, 553 ; great increase of, 559 ; return secretly, 562-563 ; favour for repentant, 625-626 ; in Innisboffin, 675 ; to be searched after, 707. See also Jesuits
 Primrose, the, loss of, 562, 585
 Prisoners, allowance to be made to, 294 ; to be transported, 434 ; in Ulster, 467, 562 ; at Cork, 613 ; money paid for relief of, 644
 Probate of wills, Court to be established for, 581
 Proclamations, 136, 178, 194, 283, 400, 410-411, 417-418, 455, 459, 460, 466, 539, 540, 651, 673, 685-686. See also Declarations
 Protestant Delinquents, 410, 481, 495, 502, 519, 586 ; proposed pardon for, 587-588 ; 594. See also under Ordinances
 Proudfoot's Castle, Irish arrested in, 650
 Providence, the, 249
 Provisions, 23-24 ; deficiency of all sorts of, 61, 70, 79, 113, 142-143, 191, 213, 218-219, 247, 300
 Provost-Marshal, Instructions for, 636
 Public-faith debts, question of satisfaction of, 465-466
 Puckle, Lt.-Col. John, 163, 166
 Purcell, Major-Gen. Patrick, 92 *n.*
 Purcell, Thomas, 206
 Purdon, Nicholas, 701
 Purefoy, Arthur, high sheriff of Meath, 633 *n.*
 Purefoy, Lt.-Col. William, 715
- Q
- QUAKERS, 557, 563, 637-638
 Qualifications, what to be granted to the Irish, 28-29 *n.*, 129, 236 ; Act of, 269 ; in Act for Settling Ireland, 355 ; commission for trying delinquency of Irish according to their, 378-380, 400, 428 ; commissioners for determining, 469-471. See Athlone, Commissioners at Queen's County, 17, 78, 119, 140, 223, 258 ; gross survey of lands in, 384 ; divided between soldiers and Adventurers, 405 ; woods in, 492 ; iron-works in, 657 ; Tories in, 714
 Quelsh, John, 398
- R
- RACHRA, 27 *n.*, 68 *n.*, 154
 Raffin (Rathfine, co. Meath), 321
 Raffran (Rathfran, co. Mayo), fort to be erected at, 376
 Ragharah. See Rachra
 Raine. See Ryan
 Randes, the (co. Sligo), 135
 Rapes, Irish charged with, 477
 Ratheline Barony, 398, 508
 Rathmines, Jones' victory at, 613
 Rawdon, Major George, 41 *n.*, 658, 664, 671, 679
 Rawlins, Major Thomas, 395, 715
 Read, Major John, 398
 Reading, John, 455
 Recruits, 6, 9, 14, 16, 24, 50, 53 ; much wasted, 74 ; expected, 113 ; 117 ; wanted, 129 ; one-third of dead, 134
 Reddington, Rev. Francis, 700
 Redman, Major Daniel, 360 *n.*, 468 *n.*, 623-624
 Reeves, Col. William, 153, 212, 253, 282 ; regiment of, 640
 Register of forfeited lands, appointment of a, 455-456
 Reilly. See O'Reilly
 Rely, Tirlagh, 694
 Rents, Protestant proprietors apply to be freed from fee-farm, 553-554

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Rents—*continued*
n.; reserved from Adventurers and soldiers, 579, 612; to be paid Irish proprietors, 652
- Revenue in Ulster, 21; in Wexford precinct, 37; state of, 51; great decay of, 117; increased charges on, 117; in Connaught, 130; counties yielding no, 139-140; instructions for managing, 266; state of, 422, 431; decline of, 436; steps to be taken to improve, 439; receiver-general of appointed, 460; state of, 668, 677-678; great part of leased, 693; committee to consider state of, 698, 713
- Revenue, Commissioners of, letters and instructions to at Athlone, 260-262; at Athy, 90; at Belfast, 40-42, 69, 77-78, 110-111, 135, 162, 175, 177, 211-212, 414; in Connaught, 86, 102-103; at Cork, 241-242; at Galway, 271, 481; at Kilkenny, 73, 241-242, 251-252; in Leinster, 277-278; at Limerick, 101, 103; at Londonderry, 76, 414; in Tipperary, 241-242; at Trim, 317; in Ulster, 256, 272-273, 292-294, 303-304, 329-332, 333-334; at Waterford, 309; at Wexford, 241-242, 324; in the twelve precincts, 277-278, 315, 380, 426, 428; to set out waste lands to soldiers, 316; to receive claims of Irish proprietors, 362, 370; gross survey of lands taken by, 384; to grant certificates to transplanters, 389, 408; to examine grounds for granting dispensations, 412-413; to protect transplanters' servants, 429; leases made by to themselves annulled, 431; to let houses in Galway, 432; to cause Irish to be transported, 434
- Revenue and Assessments, Commissioners-General of appointed, 459-460. See also Markham, Henry; Roberts, Edward; Kingdon, Richard
- Revenue, Receiver-General appointed, 460. See Standish, James
- Revenue, Treasurer of. See Hutchinson, Daniel, 421
- Reynolds, Commissary-General John, 23 *n.*, 48-49, 55-56, 57, 59, 63, 102, 128, 134, 143; placed in command at Athlone, 149; 153, 168, 170; takes Jamestown, 172; 182, 185, 197, 202, 210; in co. Cavan, 217, 219, 221; 227-228; in co. Longford, Reynolds, Com.-Gen. John—*contd.*
 235-236; 246-247, 253-255; Roscommon surrenders to, 260-261; 268, 276; Ulster Irish surrender to, 279, 280; 286, 297, 302; Aran surrenders to, 310, 312; 317; Innisboffin surrenders to, 319-320; 451-452, 454, 473, 489, 502, 505, 538, 544; instructions to, 560-561, 624; regiment of, 641, 657
- Reynolds, Robert, grant of lands to, 561 *n.*
- Rian. See Ryan
- Rich, Capt. Stephen, 65, 81-82, 342, 716
- Richards, Col. Solomon, 403 *n.*, 490; regiment of, 640, 715
- Richardson, Thomas, 296, 543, 546
- Ring's End, 38, 598
- Rives. See Reeves
- Roberts, Edward, Auditor-General, 201, 257 *n.*, 275, 365; commissioner-general of assessments, 459; commissioner to let State lands, 538; 698
- Roberts, Elias, 404, 446
- Robuck, Mary, 650
- Roch, Dominick, 605
- Roche, Col. David, "a troublesome enemy," 46 *n.*, 207
- Roche, James, 206
- Roche, Jordan, annuity granted children of, 563 *n.*
- Roche, Redmond, 574
- Rochford, Hugh, Recorder of Wexford, 124 *n.*
- Rochford, a Tory, 9
- Roe, Brian, 164
- Rogers, Hugh, 227
- Roghtrúe. See Loughcrew
- Rogues, English laws to be enforced in Ireland against, 343. See also Vagrants, Poor-law relief
- Roman Catholics, laws against to be enforced, 1; liberty of conscience granted to, 203; not to be schoolmasters. See also Irish, Jesuits, Priests
- Roscommon, 59, 86; garrisons to be planted in, 119; assessment of, 127, 130; 133, 134-135, 140; town of surrenders, 169; Irish in surrender, 260-262; forts to be erected in, 376; 485, 566-567, 666
- Roscommon Barony, 567
- Ross. See New Ross
- Ross Barony (co. Galway), 135, 566
- Ross Castle, Muskerry's principal fortress, 209, 210, 215, 220; accessible only by boats, 223-224;

- Ross Castle—*continued*
 surrender of, 224-228, 229-230, 233-235
- Route, the (co. Antrim), 175 *n.*
- Rowe, Mathias, 73 *n.*, 87-88, 122, 342
- Rowe, William, 422-423 *n.*, 483, 502, 505
- Rowleston, Lt. Francis, 712
- Royalists, fresh rising of, 618-623, 701.
 See also Malignants
- Royle, Rev. Mr., 295
- Rump, the, restoration of, 696
- Rupert, Prince, 373
- Ruskogh (? Rusca, co. Tipperary), 206
- Russell, Col. Robert, 163, 166, 285
- Russell, Col. William, regiment of, 641
- Ryan, Dermot, 542, 591, *n.*, 649
- Ryan, Hugh M'Philip, 206
- Ryan, Hugh M'Shane, 206
- Ryan, Loch (Scotland), 69
- Ryan, Philip, 206
- Rye, to be sent from England, 70
- S
- SADLER or SADLEIR, Col. Thomas, 163 *n.*, 183, 185, 224, 227-228, 269, 296, 303, 365, 451, 490, 600; petition of, 614 *n.*; 624; regiment of, 640; Governor of Galway, 675, 686, 705
- St George, Capt. Oliver, 163, 166; petition of, 427 *n.*
- St John, Oliver, 81
- St Johnstoun (Scotland), 39
- St Malo, 126
- St Sebastian, 693, 710
- Sallee, Irish prisoners at, 126, 631
- Salt, excise on evaded, 66; sent to Isle of Man, 81-82; excise of, 461; remitted, 477
- Salway or Salwey, Major Richard, 1 *n.*, 81, 708
- Sanders, Col. Robert, 114 *n.*, 215, 221, 230, 269, 282, 474; regiment of, 640; 651
- Sanderson, Robert, high sheriff of Cavan and Monaghan, 633 *n.*
- Sankey, Capt. Henry, 38, 75 *n.*, 236, 253, 260-261
- Sankey, Col. Hierome, 27 *n.*, 31, 34, 38, 42, 47, 63, 73, 100, 114, 128, 154, 197, 202, 205, 210, 217, 219, 223, 228, 230-231, 239, 258, 269, 282, 306, 309, 334, 344, 360, 365, 369-370, 403, 447, 463, 486, 490, 499, 538, 566, 571, 588, 624; regiment of, 641
- Santhy, Justice John, 470 *n.*, 484, 524, 569, 604, 618, 632, 673, 698
- Saul, Mrs., 36
- Savage, Abraham, 613
- Scobell, Henry, 231, 268
- Schoolmasters, Popish, 293, 491
- Schools to be erected in each county, 583. See also Dublin
- Scot, Thomas, 109 *n.*, 708
- Scotland, troops to be sent to, 18 *n.*, 19, 26; 39; fear of an invasion from, 43, 52; 111; restrictions on trade with, 135; suspicious persons from, 135; 192, 211, 256-257; intercourse with to be prevented, 325-326, 331; ships from to be searched, 342; trade with re-opened, 370; troops transported to, 468; persons from forbidden to land, 583
- Scots suspected of intriguing in Ulster, 325, 327; forbidden to settle in Ulster, 581
- Scots in Ulster, 16, 20; generally disaffected, 23, 256, 293, 325, 329; question of transplantation of, 330, 333-334, 338-339, 346-354, 360-361; ministers, 415; to be removed, 581; disaffected to be secured, 621; recalcitrance of, 658 *n.* See also under Ulster
- Scott, Lt.-Col. Thomas, 398
- Scoutmaster-General. See Jones, Dr Henry
- Scrimshye, Capt., 144
- Scurlock, Col. Thomas, 28 *n.*, 31, 33, 37-38, 49; storms New Ross, 61, 64; defeated, 68-69; 157, 186
- Seaman, Capt., 17
- Searle, Daniel, Governor of Barbados, 555
- Secret service, money paid for, 644
- Sedgewick, Stephen, 711
- Sellick, David, to transport Irish vagrants, 374-375
- Serjeant-at-Arms. See Mortimer, James
- Settlement of Ireland, Act for the, 264, 268; disturbances expected to follow publication of, 269, 273; 275, 281; declaration on, 283-284; 292, 303, 355; qualifications of Irish according to, 378-379. See Acts of Parliament
- Shaen or Shane, James, 387 *n.*, 389, 521 *n.*, 570 *n.*
- Shannon, River, 31, 131, 141, 217, 228, 249; forts to be erected on, 375-376; licences required for crossing, 495, 497; lands along

Shannon, River—*continued*

reserved, 555, 565, 579; to be marked out, 590

Shaw, Capt., 452, 476 *n.*

Sheppard, Major William, 397

Sheares, Capt. Samuel, 573-574

Sherlock, Sir Thomas, 401 *n.*

Sherwine, Capt., 16, 67; captures a pirate, 68; 81, 90, 111, 192, 211, 327, 585

Shillelogher Barony, 395-396, 508

Ships to guard the Channel, 43; pressed to transport Irish, 189; to ply along the coast, 193, 249, 255, 277; pressed, 282, 302; leave Aran against orders, 305; detained in Spain, 320-321; restrictions on those coming from Scotland, 326, 342; pressed, 345; searched for persons being illegally transported, 467, 475, 528; for the defence of Ireland, 562, 685, 701, 710

Shrute, 524, 610

Shrute Barony (co. Longford), 508

Sickness. See Plague and Soldiers

Skevington or Skeffington, Sir John, 670 *n.*

Slade, Col., regiment of, 640

Slane, Lord. See Fleming, Charles

Sligo, 48, 119, 121, 130, 133, 135, 140, 194; town besieged and taken by Coote, 219, 221, 227, 232; forts to be erected in county, 376; estimate of lands in, 381; reserved from the Irish, 388; lands in assigned soldiers, 397-398, 432, 484-485; New England settlement at, 499; assigned soldiers, 507, 524, 565; lands near granted Sir R. King, 573; part of assigned for satisfaction of Irish, 611; Tories in submit, 651; houses in, 666

Slingsby, Henry, 650 *n.*

Smallwood, James, high sheriff of Louth, 633

Smith, Major Brian, 221, 223, 229, 306, 344, 366 *n.*, 428, 474, 476, 490; Governor of Carrickfergus, 706

Smith, William, 44

Smith, a Tory, 9

Smyth, Edward, Irish to be delivered to, 691

Soldiers, distressful condition of, 73-74, 111-112, 119; forbidden to marry Irish Papists, 121; vast numbers die of cold and disease, 133; desert their colonels, 162; hungry and naked, 181; in a miserable strait for want of money, 186; oppressions by, 270; suggestions

Soldiers—*continued*

for satisfying arrears of, 288-289; regulations for pay of in Ulster, 292-293; supplies wanted for, 324; Bill for satisfying arrears of, 336, 350; to be punished for marrying Irish Papists, 363; question of arrears of, 364; lands *de bene esse* to be assigned to, 366; to be indemnified for acts of war, 367; forbidden to sell debentures, 369; indemnified, 370; Act for satisfaction of, 380; estimate of lands due to, 381; disbanded receive lands in co. Cork, 389-394; in co. Louth, 394-395; in co. Kilkenny, 395-397; in co. Sligo, 397-398; in co. Longford, 398; in counties Fermanagh and Cavan, 399; lands assigned, 417-418; number of disbanded, 423; in Ulster, 434; maimed, 453; lands allotted to be booked, 479, 490; hard pinched, 500; disbanded refuse to sit down, 538; not to leave Ireland without licence, 540; in co. Cork, 541-542; to receive rents of lands due to them, 543; disbanded re-enlisted, 547 *n.*; delay in setting out lands to, 559; to have letters patents, 580; encumbrances on lands of, 655, 663; ordered to England, 700-702; order countermanded, 709; marry Irish Papists, 711

Southeby, Roger, 707

Southwell, Robert, 208 *n.*, 380, 575, 605, 651

Spain, Irish to be transported to, 15, 31, 114, 173, 189, 222; Muskerry intends going to, 235; Connaught Irish capitulate to go to, 238; Muskerry's forces ready for transportation to, 250-251; Irish raised for service of, 276, 309; number of Irish transported to, 310; Irish in Aran to go to, 310-311; agents of fail to perform their contracts, 317; Irish in Innisboffin to go to, 319; transports detained in, 320; Irish transported to, 321, 323, 328, 336, 371-373; objections to transporting Irish to, 433; losses entailed by transportation to, 669-670, 689

Spanish agent. See Foyssot and Mayo

Spanish royal. See Eight, pieces of Spencer or Spenser, William, 659 *n.*

Spike Island, 411, 433

Squibb, Stephen, 521 *n.*, 570 *n.*

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

- Standish, James, treasurer, 8, 30, 36 *n.*; in England, 83; 101-102, 112; estimates of, 117; 201, 215-216, 219, 233, 296, 314-315, 335; appointed Receiver-General of Revenue, 460; 494; money received by, 639; 665; instructions to, 676-678; 698, 701, 707
- Stanley, James, Earl of Derby, 35 *n.*
- Stanley, Major Thomas, 366 *n.*, 622
- Steele, William, Recorder of the City of London, member of the Irish Council, 437 *n.*, 443, 461; Lord Chancellor, 672; Commissioner for the affairs of Ireland, 696-697
- Stephens, John, alderman of Galway, 100
- Stephens, John, schoolmaster, 548
- Stephens, Lt.-Col. Richard, 395, 397
- Stewart, James, Earl of Galloway, 43 *n.*, 52
- Stirling Castle, 42 *n.*, 43
- Stopford, Capt. James, 698 *n.*, 701
- Strabane, 666
- Strabane, Lord. See Hamilton, George
- Strafford, Earl of, government of the, 577. See also Surveys
- Stratton, Major William, 399
- Streamstown, articles concluded at, 151-153
- Strich, Thomas, mayor of Limerick, 92 *n.*
- Strong, Philip, 549
- Stuart, Sir Alexander, 592
- Stuart, Katherine, 592
- Stubber or Stubbers, Col. Peter, Governor of Galway, 183, 185-186 *n.*, 335, 410, 431-432, 495, 497; regiment of, 640
- Suir, River, 120
- Sun, the, 312
- Supple, Col., 224, 229
- Supplication, day of solemn, 376-378, 448-449, 547-548
- Surveyor-General. See Worsley, Benjamin
- Surveys, Elizabethan, 371; abstract of Strafford's, 407-408; Commissioners of, 451; committee to consider how to expedite, 452; transcript of Strafford's, 473 *n.*; imperfect, 510, 513-514 *n.*, 526. See also Down Survey
- Swift, Major Thomas, 58
- Swine. See MacSweeny
- Sydenham, Col. William, 500
- Symner or Sumner, Major Miles, 80 *n.*, 83, 86, 410, 600, 609, 675
- Synnote, Col. Oliver, Governor of Arkyn, 311-312
- Synote, Thomas, 691

T

- TAAFFE, Col. Francis, 237
- Taaffe, Major-Gen. Lucas, 198 *n.*; surrenders Ballymote, 222, 237, 239, 253
- Taaffe, Theobald Viscount, 53 *n.*
- Taaffe, Lt.-Col. William, Governor of Ballinafad, 174
- Talbot, Sir Henry, 702 *n.*
- Talbot, James, 702 *n.*
- Talbot, Major Peter, 177 *n.*
- Talbot, Capt. Richard, 75 *n.*
- Talbot, Sir Robert, 197 *n.*
- Tallow, licence to export, 293
- Tanners permitted to peel bark, 177
- Tatnell, Capt., 249
- Taxation, Committee of, 498
- Taylor, Henry, coiner, 44-45, 56, 65
- Taylor, Dr Jeremy, 706 *n.*
- Teeroghan Castle, 56 *n.*, 58, 90; attempt to surprise, 129. See Gilbert, Capt.
- Ten Counties, the, rents in moiety of assigned the army, 532. See Lands, forfeited
- Tenth Whelp*, the, 249
- Terehowle, 135 *n.*
- Termonbarry (co. Rosecommon), fort to be erected at, 376, 524, 616
- Terrell. See Tyrrell
- Terrilan, 163 *n.*
- Thanksgiving, day of, 18, 43, 55, 58, 76, 82, 544, 613, 630, 653; Ulster Scots refuse to celebrate, 658
- Thelwall, Capt. Robert, 260 *n.*
- Tholsal, the (Dublin), 345
- Thomas, Esay, 391, 411
- Thomastown, 321; manufactures at, 578; forfeited houses in, 666
- Thomlins, Capt. Edward, Comptroller of the Train, 699, 708, 715
- Thomlinson (Sir) Mathew, member of the Irish Council, 438 *n.*, 443, 468, 529, 536, 578, 655, 672, 692; Parliamentary Commissioner for the Affairs of Ireland, 697, 713
- Thomond, inhabitants of starving, 189, 238
- Thomson, Col. George, 708
- Thomson, Maurice, 465 *n.*
- Thomson, Robert, 465
- Three-mile limit, along sea-coast and Shannon, 523; to be marked out, 590; reduced to one mile, 610;

Three-mile limit—*continued*
 rents of lands within, 653; lands in assigned soldiers, 667
 Throgmorton, Lt.-Col., 182
 Thurles, Viscountess (Elizabeth Poyntz, Ormond's mother), case of before Mallow Commissioners, 606-607
 Thurloe, John, letters to, 501, 656, 661, 664
 Thwaites, William, 660
 Tiaquin Barony, 135, 566
 Tighe, Alderman, 624
 Tillage, committee of, 309
 Timolin, inhabitants of transplanted, 485
 Tipperary, persons arrested in, 69; 115, 140; inquiry into murders committed in, 242, 258; Ulster Scots to be transplanted to, 333, 360; 363; gross survey of lands in, 384; divided between soldiers and Adventurers, 405
 Tirawley Barony, 135; allotted soldiers, 472; 566
 Tireragh Barony allotted soldiers, 398; to be surveyed, 408
 Tithes to be let to Protestants, 495; amount of rent received for, 639; provision for ministers out of, 654-655; Commissioners for letting, 660-661
 Tolls not exacted from transplanters, 430
 Tomonaghan (co. Leitrim), 524, 616
 Tonson, Major Richard, 715
 Toole. See O'Toole
 Toomey, Thomas, case of before Mallow Commissioners, 604-606
 Tories in Wicklow, 5 *n.*, 7; near Armagh, 17; in Leinster, 27; in Ulster, 49; proclamation for discovering, 178; proclamation against relievers of, 194-195; in co. Cork, 363; transported, 400-401; precautions against, 425; declaration regarding, 504; relievers of to be transplanted, 514; measures to suppress, 537; head-money for, 542 *n.*; relievers of court-martialled, 556; in the "five counties," 602; instructions for suppressing, 636; amount paid for apprehending, 644; submission of in co. Sligo, 651; in co. Kildare, 711; to be treated with, 712; steps to suppress in Carlow and Kilkenny, 713-714; in King's and Queen's counties, 714

Touchet, James, Earl of Castlehaven, 48 *n.*
 Towgood, Capt. Sampson, 36 *n.*
 Towns, walled, houses in to be let to Protestants, 666; list of, 666-667
 Toxteth, Mr. of Drogheda, 44
 Trade, restrictions on, 112, 135, 211-212, 293; committee, 369-370; with Scotland, 370; new committee of, 525-526; restraints on removed, 539; committee of, 578; damaged by bad money, 593, 657
 Traill, Lt.-Col. James, 41 *n.*, 625
 Tralee, 666
 Transplantation of Ulster Scots, proposals for. See Scots in Ulster; of Irish into Connaught and Clare, instructions for, 353-358; committee to consider, 369-370; God's assistance in the work of sought, 376; committees to consider of qualifications of the Irish in regard to their, 378-380; question of dispensation from, 412-413; declaration regarding, 428; effect on Revenue of, 431; power to grant dispensations from, 442; committee for effectual, 454; penalties for not obeying orders of, 485, 488-490; persons arrested for not obeying orders of, 493; dispensations from misused, 516; attempt to hinder, 529
 Transplanters, lands to be set out to in Connaught and Clare, 387-389. See Loughrea, Commissioners at; case of widows of English extraction, 423; petitions of for dispensation from transplantation, 428-429; passes granted to, 429; protection for servants of, 429; to be freed from tolls, 430; to enter their claims to lands, 466-467; certificates granted to, 474; pressure brought to bear on, 485; preparation for reception of, 487-488; not to recross Shannon without licence, 495; to have lands *de bene esse* assigned them, 496; passes granted to, 497; not to pay tolls, 504; lands to be assigned to, 521-523; excluded from garrisons, 524; licensed to cut down timber, 532; not to be arrested or annoyed, 534; to enter their claims or be disqualified, 540; to have lands of equal value to their old, 563; plan for equalising values of lands granted to, 565-567; time for

Transplanters—*continued*

entering claims by expired, 591 ; to remain on lands granted them *de bene esse*, 611 ; lands improperly assigned to, 630, 632 ; decrees for grants to be revised, 648 ; to enjoy their rents within the three-mile limit, 653 ; extension of lands for, 667 ; care to be taken in giving licences to, 704-705. See also under Athlone ; Irish ; Revenue, Commissioners of

Transportation of Irish soldiers as a means of settling Ireland, 120, 155, 317, 452. See also Articles of Capitulation, Spain, Flanders ; management of entrusted to private individuals, 669-670 ; compensation granted for losses incurred in, 506. See also Deane, Nelson, Nappier, Phaire, Treswell, Wallis ; privilege of extended to Catholic priests, 345, 376 ; as a means of ridding the country of beggars and Tories, 341, 374-375, 384, 400-401, 432. See also Vagrants, Caribbee Islands, Barbados, New England ; as an alternative for death penalty for refusing to transplant, 437, 490

Trap, Rev. John, 527 *n.*

Treasurers-at-War, 8 *n.*, 57, 70, 75, 83-84, 87-88, 91, 110, 112, 132, 136 *n.* See also Wollaston, Leman, Blackwell, Standish

Treasury (England), Commissioners of, letters to, 493-494, 500

Treswell, Col. Daniel, 412 *n.*, 480, 501

Trevor, Col. Marcus, 72 *n.*, 284

Trim, 31, 60, 70, 84, 88, 317, 331, 666

Trinity College. See Dublin

Trinity Island (co. Cavan), 323

Tromp, Martin van, 214

Trough Barony, 60, 508

Truelove, the, 17

Trustees of Army. See under Army

Tulla Barony assigned transplanted widows of English extraction, 423, 494, 567

Tulloch, lands granted Sir C. Coote at, 109

Tully, 185 *n.*

Tullygarvey Barony, 399, 508

Tullyhaw Barony, 399, 508

Tullyhunco Barony, 399, 508

Turks. See Pirates ; Saltee

Turner, Methuselah, 404, 406, 706

Tutle, Col., regiment of, 640

Two Sisters, the, 646

Tyrellan. See Terrilan

Tyrell, Lt.-Col. Thomas, 144 *n.*, 197, 199, 201

Tyrone, 60, 119, 131, 140 ; gaol delivery in, 484 ; woods in, 679

U

ULSTER, Commissioners of Parliament in, 6, 14-16 ; settle assessments in, 21, 22 ; comparatively quiet, 23 ; quarters in plundered by the Irish, 30, 39, 42 ; forces in commanded by Venables, 42 ; Tories in, 49 ; estates of delinquents in to be sequestered, 60, 71-72, 79 ; difficulty of paying forces in, 84-85, 110 ; four solvent counties in, 131 ; excise farmed in, 135 ; state of revenue in, 138-140 ; Irish in, 189, 196, 198, 210, 235 ; Ludlow going to, 239 ; reluctance of Irish in to submit, 244, 246-247 ; Scottish interest in to be suppressed, 256 ; united action against the Irish in, 268-269, 272 ; articles for surrender of Irish in, 280-282 ; Irish in to be transported at Carlingford, 284-285 ; only a few Irish still hold out in, 286 ; directions for the government of, 292-294, 303 ; trouble brewing in, 325 ; intercourse with Scotland suspended, 326 ; scheme to transplant Scots in, 329-332, 333-334, 337-339, 340, 346-350, 351-354 ; Report of Committee to consider scheme, 360 ; trade with Scotland reopened, 370 ; estimate of forfeited lands in, 381 ; lands in assigned disbanded soldiers, 398-399 ; Scots ministers in, 415 ; concessions to forces disbanded in, 434-435 ; Church livings in to be given to Englishmen, 580 ; Scots not to dwell in, 581 ; disaffected persons in to be secured, 621 ; Scots in refuse to keep day of thanksgiving for Cromwell's preservation, 658 ; religious disturbances in, 671

Upper Ormond, Irish starving in, 189

Upperwood, Fitzpatrick's estate in, 150

Ustead, John, 227

V

VAGRANTS to be transported, 341, 354-355, 384, 399-401, 421-422, 430-432, 434, 444 ; laws against to be put in execution, 496 ; persons

Vagrants—*continued*

illegally transported under pretext of being, 655; orders for transporting rescinded, 656; laws against to be enforced, 707. See also Poor-law relief

Vane, Sir Henry, 22 *n.*, 81, 708

Vanhoven, Gerard, 83 *n.*

Vaughan, Evan, 559 *n.*

Venables, Col. Robert, commander-in-chief of the forces in Ulster, 12 *n.*, 15, 17, 24-27, 31, 34-35, 42, 48-49, 60, 63; illness and recovery of, 68-69; 77-78, 84; grant of lands to, 109; 123, 138, 181, 184-185, 189; engaged with Reynolds in hunting down the rebels, 210, 217, 219, 221-222, 230-231, 235; 246-247; receives surrender of main body of Irish in Ulster, 280; 286; takes measures to suppress the Scots in Ulster, 325-326, 327; 339, 342, 361, 370, 473, 489; going abroad, 501; regiment of, 640

Vernon, Quarter-Master-Gen. John, 197, 202, 205, 209, 296, 335, 344, 368, 374, 451, 475, 490, 700 *n.*

Villages, scheme for drawing the Irish to live in, 425

Volunteers for the defence of Dublin, 28, 37; at Limerick, 713

Vrine, Ellis, wife of Edmund Daly, 169

W

WADE, Morgan, 694

Wade, Samuel, 395

Wade, Capt. William, 319

Wadinton, Henry, 398

Waldenses, the, collection for, 526, 545 *n.*, 669

Wales, 11, 193

Walker, Lt.-Col. William, 715

Wall, Walter, 691

Waller, Sir Hardress, 46 *n.*, 101, 114, 146, 168, 170, 183; takes Dromagh Castle, 207-210; 214-215, 223-230, 235, 269, 282; lease of lands granted to, 289; sent to England with army proposals, 290, 292, 302; 311, 344, 360, 365, 369-370, 428, 451-452, 454, 473, 481, 486, 489, 499, 538, 544, 566, 571, 588, 622, 624

Waller, Capt. Walter, 153, 624 *n.*

Walley, Capt., 698

Wallis, or Wallace, Rev. James, 517

Wallis, John, merchant, 706

Wallis, Major Peter, 215 *n.*, 219, 298, 308, 391, 411, 425, 457, 474, 476, 506, 556, 574

Walsh, Peter, 275 *n.*, 343

Walsh, Thomas, a convert, 515; allowed to compound, 659-660

Walsh, Col. Walter, 154 *n.*

Walters, Major George, 366 *n.*

Walton, Col. Valentine, 708

Ward, Capt., 33, 38, 42

Warden, William, 701

Warden, Major, 208

Warren, Capt. Abel, 649, 699

Warren, Lt.-Col. Edward, 365 *n.*, 714

Warren, William, 700

Waterford, 17, 38; ammunition landed at, 53; not able to bear increased taxation, 79; money arrives at, 102; assessment of, 114-115; garrisons in, 120; state of revenue in, 139; 142, 193, 195, 214; Col. Clarke's regiment lands at, 218; ships to transport Irish at, 276; 288-289, 310, 315; Ulster Scots to be transplanted to, 333; assessment of, 373; Irish vagrants, 374-375; gross survey of lands in, 384; 397; division of between soldiers and Adventurers, 405; Irish in gaol at to be transported, 434; disbanded soldiers in, 542; Tories in, 556; Quakers in, 563; houses in falling into ruin, 647; forfeited houses in to be let, 666. See also Lawrence, Col. Richard

Waterhouse, Alderman, 626

Watts, Thomas, 395

Weames, Sir Patrick, 395, 397

Weare, Nathaniel, 476

Weaver, John, Commissioner of Parliament for the affairs of Ireland. See under Ireland

Webb, Capt. William, 375 *n.*, 397, 590

Webster, Thomas, 707

Weeks. See Wyke

Weights and measures, uniform to be used, 332

Wells, superstitious reverence shown to, 712

West, Roger, high sheriff of Down, 634 *n.*

West Indies, vagrants to be transported to, 341, 354, 384, 399-400

Westmeath, Earl of. See Nugent, Richard

Westmeath, 70, 78, 121, 134; yields no revenue, 140; gross survey of lands in, 384; division of between soldiers and Adventurers, 404-405;

Westmeath—*continued*

- gaol delivery in, 485; disbanded soldiers in, 542
- Wexford, 5, 17, 32, 34, 36-37, 39, 42, 51, 63; trade of hindered by pirates, 64; 71, 79, 111; assessment of, 115; 121, 140; Irish defeated in, 182, 190; 193, 195; blocked up by pirates, 214; 241; ships to transport Irish at, 276; 288; Irish to be excluded from part of, 296, 303; Irish starving in, 329; woodreeves appointed in, 337; assessment of, 373; Irish vagrants in, 374-375, 434; woods in, 484; retention of Irish in, 486, 499; disbanded soldiers in, 542; Tories in, 542; woods in, 601; forfeited houses in to be let, 666
- Whalley, Charles, commissary at Chester, 12-13 *n.*, 26, 55, 85, 136, 346, 552
- Whalley, William, 395
- Wheat, 70, 113; price of, 138 *n.*; 143, 149, 300
- Wheeler, Lt.-Col. Francis, 294, 715
- Wheeler, Capt. Jonas, 395
- Wheeler, Lt.-Col. Oliver, 395; high sheriff of Kilkenny, 633 *n.*
- Whelp*, the, 214
- Whiddy Island, 323
- White, Andrew, licensed to transport Irish, 315 *n.*
- White, Sir Dominick, 251
- White, Don Richardo, 240
- White, Col. Stephen, 93
- White, Capt. Thomas, 112
- White, Capt., contracts to transport Irish, 183
- White, Mr. of Henland, 289
- Whitelock, Benjamin, President of the Council, 700, 704
- Whitworth, Capt., commissary at Chester, 13, 26
- Wickham, Tobias, 395
- Wicklow, 5 *n.*, 8-9, 33, 49, 71, 115, 119-121; excluded from protection, 136; yields no revenue, 140, 195; Ludlow in, 236, 241; term set for proprietors entering claims to lands in, 466; woods in, 484; retention of Irish in, 486, 499; villages in to be cleared of Irish, 514-515; Tories in, 542; assigned for '49 arrears, 579, 599; likely to become a nest of dangerous persons, 602; Irish to be removed out of, 638; proposal to assign lands to Liverpool in, 674; retention of Irish in, 694; rumours of intended massacre
- Wicklow—*continued*
in, 707; Irish in to be disarmed, 710
- Widows of English extraction to be transplanted, 423; jointures of, 472; baronies reserved for, 494; provision for, 498
- Widows and orphans of soldiers, question of satisfaction of, 212, 453, 494, 519-520, 536, 538, 557, 609
- Wild, John, 694
- Wilkin, David, 694
- Wilkinson, Rev. Thomas, 304 *n.*, 648
- Willet, Jacob, 136
- Williams, William, 395
- Williams, Mr, 708
- Willmot, a pirate, 68
- Willoughby, Nicholas, high sheriff of Fermanagh, 633 *n.*
- Wisheer, Capt. Richard, undertakes to transport Irish, 31; death of, 39
- Winter, Dr Samuel, 172 *n.*, 204, 221, 570, 588, 679, 704
- Wolf-dog, Irish, exportation of prohibited, 178 *n.*, 192 *n.*
- Wollaston, Sir John, treasurer-at-war, 8, 10 *n.*; money received by, 639
- Wolves, 178 *n.*; licence to kill, 299; measures to destroy, 305-306; rewards for destruction of, 350; money advanced for destroying in Connaught, 481; amount paid for killing, 644
- Women, condemned to be burned to be hanged, 271
- Woodenstone, 206
- Woodliffe, Thomas, 391, 411
- Woodreeves appointed, 337, 492, 513, 564
- Woods, instructions for preservation of, 441, 459; likely to become scarce, 483-484; Adventurers' claims to, 491; in Connaught, 523; preservation of, 564 *n.*, 601, 679, 712
- Wool, exportation of prohibited, 243; instructions regarding, 715
- Wootton, Rev. Henry, 304 *n.*, 588, 679
- Worcester, battle of, 44 *n.*, 51
- Worsley, Benjamin, surveyor-general to survey lands in ten counties, 418-419 *n.*; superseded by Petty, 464; to remove encumbrances on Adventurers' lands, 487; 513, 526, 529; to let State lands, 538; 562, 600, 692
- Worth, Dr Edward, 556 *n.*, 588, 648
- Wright, Richard, 492

Wyke, Rev, Andrew, 60 n.
Wynne, Cadwalader, 15, 394

Y

YARNER, Dr Abraham, petition of
to retain Irish, 694

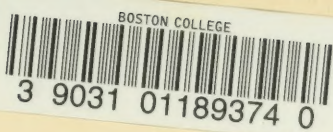
Yardel or Yarwell, William, com-
missary at Limerick, 208, 713
Youghal, 193, 210, 234; exposed con-
dition of, 250; 282, 308, 374-375,
392; petition of ancient inhabit-
ants of, 556

Pages 1 to 282 are in Volume I. Pages 283 to the end, in Volume II.

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